





PROCEEDINGS  
OF THE  
LEGISLATIVE COUNCIL  
OF THE  
UNITED PROVINCES  
*OFFICIAL REPORT*

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VOLUME XXXIII.

FROM March 4 to April 2, 1927.



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## CORRIGENDA.

### United Provinces Legislative Council Proceedings.

#### VOLUME XXXIII.

(1) No. 1, page 15.—Against starred questions Nos. 53, 54, 55 and 56 *read* the name “Panjit Bhagwat Narayan Bhargava.”

(2) No. 3, page 142.—Transfer the last three lines on page 142 to page 143 below the answer to starred questions Nos. 47 and 48.

(3) No. 4, page 198.—Above starred question No. 17 *insert* the head “Hard labour in jails.”

(4) No. 6, page 374, line 14.—*Print* the words “The Proclamation says” in small pica type.

(5) No. 6, page 392.—*Print* the names in lines 30, 33, 35, 37, 39 and 42 in italics.

(6) No. 8, page 589.—In line 24 after the word “unproductive” for the words “If that is so, speeches on the previous motion that the honourable members were discussing ‘Establishment of the Irrigation department’ the motion that was carried by the House do cover the present motion” *substitute* the words “Speeches on the previous motion showed that the honourable members were discussing the whole establishment of the Irrigation department. That being so, the motion that was carried by the House does cover the present motion in my opinion.”

(7) No. 10, page 710.—Above starred question No. 28 *insert* the heading “City High School, Ghazipur.”

(8) No. 12, page 880.—At the end of Mr. A. H. Mackenzie’s speech *insert* the words “*During the above speech the Hon’ble the President resumed the chair.*”

(9) No. 16, pages 1177-1178.—Against answer to supplementary question to starred question No. 162 *for* “The Hon’ble Lieut. Nawab Muhammad Ahmad Sa’id Khan” *read* “The Hon’ble Sir Sam O’Donnell.”

(10) No. 16, page 1215.—At the end of Lala Nemi Saran’s speech *insert* the words “*During the above speech the Dep. President took the chair.*”

W. K. FORBES

Secretary, Legation



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# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Friday, March 4, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 am, The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT.

(86).

<p>The Hon'ble Sir Sam O'Donnell. The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. The Hon'ble Rai Rajeshwar Bah. The Hon'ble Thakur Rajendra Singh. The Hon'ble Nawab Muhammad Yusuf. Mr. G. B. Lambert. Mr. E. A. H. Blunt. Kunwar Jagdish Prasad. Sir Ivo Elliott. Mr. F. H. Tillard. Mr. H. A. Lane. Mr. R. L. Yorke. Mr. A. W. Pim. Mr. A. W. McNair. Khan Bahadur Chaudhri Wajid Husain. Mr. E. L. Norton. Mr. F. F. R. Channer. Mr. R. J. S. Dodd. Colonel G. Tate. Mr. A. H. Mackenzie. Mr. G. Clarke. Khan Bahadur Mr. Masud-ul-Hasan. Mr. E. Ahmad Shah. Babu Ram Charana. Babu Prag Narayan. Babu Ganesh Shankar Vidyarthi. Mr. A. P. Dube. Pandit Rahas Bihari Tiwari. Babu Sampurnanand. Rai Bahadur Lala Shyam Sundar Lal. Babu Bhagwati Sahai Bedar. Thakur Manjit Singh Rathor. Chandhri Mangat Singh. Chandhri Vijai Pal Singh. Thakur Bikram Singh. Thakur Hukum Singh. Raja Kushal Pal Singh. Lala Nemi Saran. Rao Sahib Kunwar Sardar Singh. Thakur Sadho Singh. Pandit Birjandan Prasad Misra. Pandit Bhagwat Narayan Bhargava. Pandit Deota Prasad. Babu Shyam Lal.</p>	<p>Babu Uma Shankar. Pandit Venkatesh Narayan Tiwari. Babu Kavendra Narayan Singh. Pandit Shri Sadayatan Pande. Thakur Shiva Shankar Singh. Rai Bahadur Thakur Hanuman Singh. Rai Bahadur Babu Abhainandan Prasad. Babu Ganga Prasad Roy. Pandit Govind Ballabh Pant. Pandit Badri Dutt Pande. Mr. Mukandi Lal. Sirdar Nihal Singh. Rai Bahadur Chaudhri Jagannath Prasad. Raja Bahadur Bishwanath Saran Singh. Rai Bahadur Babu Mohan Lal. Raja Raghuraj Singh. Kunwar Surendra Pratap Sahi. Mr. C. Y. Chintamani. Mr. Zahur Ahmad. Haji Abdul Qayum. Mr. Muhammad Abdul Bari. Saiyid Tufail Ahmad. Nawabzada Muhammad Liaqat Ali Khan. Hafiz Muhammad Ibrahim. Shaikh Abdullah. Khan Bahadur Hafiz Hidayat Husain. Maulvi Saiyid Habib-ullah. Shaikh Ghulam Hussein. Dr. Shafa'at Ahmad Khan. Khan Bahadur Saiyid Jafar Husain. Khan Bahadur Maulvi Muhammad Fazi-ur-Bahman Khan. Khawaja Khalil Ahmad Shah. Shaikh Muhammad Habib-ullah. Raja Saiyid Ahmad Ali Khan Alvi. Mr. St. George H. S. Jackson. Rai Bahadur Lala Mathura Prasad Mehrotra. Kunwar Bisheshwar Dayal Sethi. Raja Jagannath Bakhsh Singh. Mr. E. M. Souter. Mr. J. P. Srivastava. Rai Bahadur Babu Vikramajit Singh. Pandit Iqbal Narayan Gupta.</p>
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## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## ALLAHABAD UNIVERSITY.

\*1. **Pandit Iqbal Narayan Gurtu** : Is it a fact that the number of students taking science subjects in the Allahabad University has nearly doubled during the last five years ?

**The Hon'ble Rai Rajeshwar Bali** : The following are the figures :—

1921-22.	Number of science students at the Muir Central College (including 106 students in Intermediate classes and 45 in the P. Sc. class) ..	279
1925.	Number of science students at the University (Internal side) ..	285

\*2. **Pandit Iqbal Narayan Gurtu** : (a) Is it a fact that the number of research and post-graduate students in the Allahabad University (Internal side) is larger than the number in all other universities of the province taken together ?

(b) Will the Government be pleased to state the number of research and post-graduate students in science (excluding medical students) in the different universities in the province on March 31, 1926 ?

**The Hon'ble Rai Rajeshwar Bali** : (a) No.

				<i>Post- graduates.</i>	<i>Research students.</i>
(b) Allahabad University	..	..	..	62	4
Lucknow University..	..	..	..	38	9
Benares Hindu University	..	..	..	31	2
Aligarh Muslim University	..	..	..	16	..

\*3. **Pandit Iqbal Narayan Gurtu** : Is it a fact that in fixing the block grant of the Allahabad University Government has allowed for the science laboratories of this University the same maximum recurring expenditure as for the Lucknow University ? What is the maximum so fixed ?

**The Hon'ble Rai Rajeshwar Bali** : Yes. Rupees 25,000.

\*4. **Pandit Iqbal Narayan Gurtu** : (a) Is it a fact that the recurring expenditure over the science laboratories of the Allahabad University during the last few years has considerably exceeded the maximum laid down by the Government ?

(b) Will the Government be pleased to state the actual recurring expenditure incurred by the Allahabad University over its science laboratories from 1923 ?

(c) Has the excess, if any, been partly due to the introduction of honours courses in science ?

**The Hon'ble Rai Rajeshwar Bali** : (a) Government have not laid down a maximum.

						<i>Rs.</i>	<i>s.</i>	<i>p.</i>
(b) 1923-24	..	..	..	..	..	31,005	11	5
1924-25	..	..	..	..	..	28,458	7	3
1925-26	..	..	..	..	..	33,049	8	8
1926-27	..	..	..	..	..	23,986	7	5

(c) Does not arise.

**Pandit Iqbal Narayan Gurtu :** Is it a fact that the committee that was appointed by the Government has recommended a maximum of Rs. 25,000 for laboratory expenses for the Allahabad University?

**The Hon'ble Rai Rajeshwar Bali :** The University can spend any amount that it likes on the science side.

**Pandit Iqbal Narayan Gurtu :** Has the committee fixed any definite amount as the maximum, and is it Rs. 25,000?

**The Hon'ble Rai Rajeshwar Bali :** No maximum has been fixed.

**Pandit Iqbal Narayan Gurtu :** Am I to understand that this amount can be increased by the Government?

**The Hon'ble Rai Rajeshwar Bali :** It can be increased by the University.

**Pandit Iqbal Narayan Gurtu :** Not by the Government?

**The Hon'ble Rai Rajeshwar Bali :** The fact is that the University already saves a lot of money every year, and so it can spend any amount it likes out of it on the science laboratory.

**Pandit Iqbal Narayan Gurtu :** Am I to understand that if the University represents to the Government, they will consider the advisability of increasing the grant?

**The Hon'ble Rai Rajeshwar Bali :** The question will be considered on its merits.

**Dr. Shafa'at Ahmad Khan :** Is it a fact that the court recommended that all the new items of expenditure might be sanctioned by the Government?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

\*5. **Pandit Iqbal Narayan Gurtu :** Does the Government propose to increase the recurring grant for the science laboratories of the Allahabad University?

**The Hon'ble Rai Rajeshwar Bali :** There is no such proposal at present.

**Pandit Iqbal Narayan Gurtu :** Am I to understand that the University has not sent any such proposal, or is it that the Government do not propose to increase the amount?

**The Hon'ble Rai Rajeshwar Bali :** The Government do not propose to increase the amount at the present moment.

**Pandit Iqbal Narayan Gurtu :** Has the University sent a proposal?

**The Hon'ble Rai Rajeshwar Bali :** Yes, it has made a representation.

\*6. **Pandit Iqbal Narayan Gurtu :** (a) Is it a fact that the Vice-Chancellors of the different universities in the province when they visited the Allahabad University condemned the existing building in which the Oriental departments of the University are located as utterly unsuitable for the purpose?

(b) What steps have been taken to provide a suitable building for the above-named departments?

**The Hon'ble Rai Rajeshwar Bali :** (a) Government were so informed by the Vice-Chancellor of the Allahabad University.

(b) The University has submitted to Government an application for a building grant of Rs. 50,000 for the purpose, but has not yet submitted plans and estimates.

\*7. **Pandit Iqbal Narayan Gurtu** : Is it a fact that the need for an additional hostel in the Allahabad University has for some time been pressingly felt? Has the University taken the project of any new hostel in hand? If so, what is the estimated cost of the project and how does Government propose to proceed in the matter?

**The Hon'ble Rai Rajeshwar Bali** : (a) Yes.

(b) Plans and estimates are being prepared.

(c) Rupees 3,25,000, towards which Government have sanctioned a grant of rupees one lakh in the current financial year.

**Pandit Iqbal Narayan Gurtu** : May I have an answer to the last part of my question, viz., "How does the Government propose to proceed in the matter?"

**The Hon'ble Rai Rajeshwar Bali** : The honourable member will know the position when the budget of the Allahabad University is laid before the Council.

\*8 to 14. **Rai Bahadur Babu Vikramajit Singh** : [*Postponed at the request of Government till the meeting of the Council on March 22, 1927.*]

#### CONSTRUCTION OF DRAINS BY IRRIGATION DEPARTMENT.

\*15. **Maulvi Zahur-ud-din** : Is it a fact that the Canal department has in Shahjahanpur and elsewhere excluded the rain water from the old ponds, *nalas* and *jhabas* situated within the areas and villages through which a canal passes? If so, why?

**The Hon'ble Sir Sam O'Donnell** : The Irrigation department, in conformity with the recognized principles of canal irrigation, are constructing drains in certain localities where natural drainage is poor and water-logging already prevalent. These drains carry off the excess rain water from the *jhabas* and depressions through which they pass and thus relieve villages from flooding and in many cases reclaim submerged areas for cultivation. Those already constructed are reported to be working efficiently and to be an asset to the country through which they pass. No complaints have been received, and it is reported that cultivators are everywhere pleased with what has been done.

#### SIDE RESERVOIRS ALONG CANALS.

\*16. **Maulvi Zahur-ud-din** : Are facilities for supplying water to cattle allowed and provided at the canal itself?

If not, is it the intention of Government to build side reservoirs along the canals for such purposes?

**The Hon'ble Sir Sam O'Donnell** : (a) No.

(b) No. Such reservoirs could not be provided except at prohibitive cost.

#### CONVERSION OF RENTS UNDER TENANCY ACT.

\*17. **Maulvi Zahur-ud-din** : Will the Government lay on the table the following information in tabular form :—

(a) Number of applications in each district made since the enforcement of the present Tenancy Act by tenants for the conversion of their rents from *batai* (in kind) to *naqshi* (cash).

(b) Total area in each district affected by such applications.

(c) Such area under occupancy tenants.

(d) Such area under statutory tenants?

**The Hon'ble Sir Sam. O'Donnell:** A statement containing all the information available is laid on the honourable member's table.

(See Appendix A, page 49.)

**FENCE ON THE RAILWAY LINE BETWEEN LALKUA AND RAMNAGAR.**

\* 18. **Pandit Govind Ballabh Pant:** Is there any fence on the railway line between Lalkua and Ramnagar?

Does the tract through which the said line passes serve as a pasture ground for cattle?

How many buffaloes and cows, etc., were knocked down by the running train between Lalkua and Ramnagar last year?

**The Hon'ble Sir Sam O'Donnell:** (a) No.

(b) Yes, more or less.

(c) One buffalo, eight cows and one pony.

**SHED FOR THIRD CLASS PASSENGERS AT LALKUA.**

\* 19. **Pandit Govind Ballabh Pant:** Is there any shed for third class passengers at the Lalkua junction?

Is it a fact that during the Badrinath pilgrim season the station is crowded and large number of passengers have to remain in the open during the day and also at night?

**The Hon'ble Sir Sam O'Donnell:** (a) No, but materials have been obtained and the shed is likely to be ready very shortly.

(b) There is no necessity for pilgrims to remain out in the open as they do not require to change at Lalkua station. A through service to Kasganj for passengers to Muttra has been provided, and when occasion requires special carriages are attached to that train for passengers for Lucknow and places beyond via Lucknow. These carriages are transferred to the Lucknow train (9-Up) at Bhojepura.

**SUPPLY OF WATER AND PROVISION FOR LATRINES IN THIRD CLASS CARRIAGES OF ROHILKHAND AND KUMAUN RAILWAY.**

\* 20. **Pandit Govind Ballabh Pant:** Is it a fact that there is no arrangement for supplying water to the travellers in the Rohilkhand and Kumaun Railway?

Is it a fact that no latrines are provided in a number of third class carriages in the Rohilkhand and Kumaun Railway?

**The Hon'ble Sir Sam O'Donnell:** (a) Adequate arrangements have been made for supplying water to travellers. At all major watering stations platform hydrants have been provided. Watermen and *bhistis* are also provided at all important stations and generally speaking at alternate roadside stations.

(b) Certain four-wheeled and six-wheeled third class carriages used on branch trains with short runs do not have latrine accommodation. Such accommodation is, however, provided in all third class set aside for the use of females and in all carriages of the bogie type. Adequate latrine accommodation is also provided at all stations.

\* 21. **Pandit Govind Ballabh Pant:** Is it the intention of the Government to invite the attention of the Railway Board to the above-mentioned matters?

**The Hon'ble Sir Sam O'Donnell:** No.

#### ANOMALOUS FARES ON THE ROHILKHAND AND KUMAUN RAILWAY.

\* 22. **Pandit Govind Ballabh Pant:** What is the railway fare between (a) Kathgodam and Haldwani, (b) between Haldwani and Bareilly, and (c) between Kathgodam and Bareilly?

**The Hon'ble Sir Sam O'Donnell:** The single journey passenger fares are as follows:—

Between	First.	Second.	Inter.	Third.
	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
(a) Kathgodam and Haldwani ..	0 12 0	0 5 0	0 2 6	0 1 3
(b) Haldwani and Bareilly junction ..	11 0 0	4 14 0	2 2 0	1 1 3
(c) Kathgodam and Bareilly junction	12 0 0	5 2 6	3 0 0	1 8 0

These anomalies are being inquired into.

#### FISHING IN BHIM TAL.

\* 23. **Pandit Govind Ballabh Pant:** Are any fees levied for fishing in the Bhim Tal lake? To which fund are they credited? Under which law are they charged? Have the villagers living in the neighbourhood any customary right of fishing and are they allowed to exercise them?

**The Hon'ble Thakur Rajendra Singh:** (a) Yes.

(b) The Tarai and Bhabar Government estates.

(c) They are charged under rules which were made by the Government after previous publication in 1920.

(d) There are no recorded rights for villagers living in the neighbourhood.

#### SHOOTING RULES.

\* 24. **Pandit Govind Ballabh Pant:** Have any rules for shooting in the Tarai and Bhabar been framed recently? Were they published for objection? Will the Government be pleased to lay a copy on the table?

**The Hon'ble Sir Sam O'Donnell:** Yes. Draft rules have been published for criticism or suggestion in the *United Provinces Gazette* of February 26, 1927.

#### PAHARPANI-BIJEPUR ROAD IN NAINI TAL.

\* 25. **Pandit Govind Ballabh Pant:** (a) When was the Paharpani-Bijepur road in Naini Tal district made? (b) What was the amount incurred in making it? (c) Is this road in a very wretched condition at present? (d) Is considerable inconvenience being caused to the residents of the eastern parts of the Naini Tal district on account of the unserviceable condition of the road? (e) Has the district board, Naini Tal, expressed its willingness to bear two-thirds of the recurring cost of maintenance and sent a number of reminders to the Government on this subject? (f) Is it the intention of Government to set this road right and to accept the proposal of the board?



**The Hon'ble Nawab Muhammad Yusuf :** (a) About thirteen years ago.

(b) Rupees 65,000.

(c) Yes.

(d) Government are not aware.

(e) The answer to the first part of the question is in the affirmative and to the second part in the negative.

(f) Government propose to allot Rs. 43,000 for the repair of the road subject to the vote of the Council. A recurring allotment of Rs. 600 per annum will be made by the Forest department, Kumaun circle, for its maintenance. The district board will provide the balance, amounting according to the estimate to Rs. 1,500 recurring.

#### HOLIDAYS FOR KUMBH MELA AT HARDWAR.

\* 26. **Rai Sahib Lala Jagdish Prasad :** (a) Will the Government be pleased to state if any public or local holidays are to be given on the occasion of the forthcoming *Kumbh mela* at Hardwar in April next?

(b) If not, do Government intend to consider the advisability of giving at least four days public holidays in this province on the occasion of the next *Kumbh* fair in order to give facilities to the Hindu public to visit their religious fair?

**The Hon'ble Sir Sam O'Donnell :** There are gazetted holidays on April 10, and again from April 15 to 18. In addition to this, local holidays have been sanctioned in the four northern districts of the Meerut division on April 13 and 14, and in Bijnor on April 12 and 13. Commissioners have been consulted and do not consider any further holidays necessary. The effect of holidays on the attendance of the general public at the *Kumbh mela* is negligible. To add four days covering April 13, as suggested by the honourable member, would mean the suspension of public business for eight successive days.

#### RESERVE INSPECTORS OF POLICE.

\* 27. **Khan Bahadur Hafiz Hidayat Husain :** How many reserve inspectors of police are there in the province?

How many of these are Indians?

Were any Indians appointed in 1926, and, if so, in what district or districts?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Seventy-three, including fourteen divisional inspectors of the Government railway police.

(2) Eight, including four divisional inspectors.

(3) Two reserve inspectors in the Hamirpur and Etah districts.

#### ASSISTANT REGISTRAR OF THE HIGH COURT, ALLAHABAD.

\* 28. **Pandit Govind Ballabh Pant :** (a) Is the post of the Assistant Registrar of the Allahabad High Court likely to fall vacant in the near future?

(b) Is it the intention of the High Court that an Indian should be appointed to fill the vacancy?

(c) Has the Government brought to the notice of the High Court the oft repeated wish of this Council that an Indian should fill this post? If not, does the Government intend to do so?

(d) Since when has an Indian not been appointed as the Registrar or the Assistant Registrar of the High Court? When did an Indian last serve as such, and for how long?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The Government are not yet in a position to reply.

**Pandit Iqbal Narayan Gurtu:** Am I to understand that the Government have not yet sent any communication to the High Court?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I wish to add nothing more than what is stated in the reply.

**Pandit Iqbal Narayan Gurtu:** Sir, I want a further elucidation of the answer. I want to know whether any communication has been sent or not. The question was sent on January 25, 1927, and my supplementary question is with the object of getting information whether the Government has at all moved in the matter.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** When our information is completely collected it will be placed before the House.

**Mr. A. P. Dube:** Is the delay due to the fact that an extension is going to be given to him after he has completed the age-limit?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I am not in a position to say anything yet.

#### PROMOTION TO SELECTION GRADES.

\*29. **Pandit Govind Ballabh Pant:** Can the Government state the principles governing promotion to selection grades of superior services? How many notifications were published during the last four years cancelling selections previously made and notified by the Government?

Will the Government be pleased to give particulars of each case, mentioning the reasons for the change?

**The Hon'ble Sir Sam O'Donnell:** The principle is that of selection on the basis of merit and experience.

There have been two cases in which promotions to selection grades were modified or cancelled. In one case the promotion of an officer in the Indian Police Service had been held in abeyance pending the result of certain inquiries; and the other is the case of Rai Bahadur A. C. Mukerji, in which reasons were given in the debate on January 26 last.

#### SUITS FILED UNDER SECTION 60 OF ACT NO. III OF 1926.

\*30. **Lala Nemi Saran:** (a) How many suits under section 60 of Act III of 1926 were filed this year in the various districts of Agra province? Please give figures of every district separately?

(b) Are the sub-divisional officers in every district empowered to try these suits and are they proceeding with them in due course, or have any orders been issued to them to adjourn these cases so long as fresh orders are not received by them from the Government?

(c) Does the Government contemplate appointing special officers to decide these cases, and, if so, when?

(d) Is it the intention of the Government to see that these cases are disposed of before the close of the current *Fasli* year?

**The Hon'ble Sir Sam O'Donnell:** (a) The honourable member is referred to the reply given today to Maulvi Zahur-ud-din Sahib's starred question No. 17.

(b) to (d) No orders have been issued for the adjournment of these suits, but under the proviso to section 235 of the Agra Tenancy Act no assistant collector has power to try them, unless he is empowered by the local Government in that behalf. Government considered that these suits were likely to be difficult and that only specially selected officers should therefore be empowered to decide them. Such officers have been empowered in all districts in which commutation suits are pending outside the Rohilkhand division. In that division over 32,000 holdings are involved, and it would therefore be quite impossible for the courts, which have to decide the suits, to follow the procedure enjoined in the enhancement rules which makes a field to field inspection necessary. Government have, therefore, under consideration a new procedure for dealing with these suits, but owing to the complexity of the question they have not yet been able to reach a decision. It is therefore probable that the commutation suits pending will be decided before the close of the current *Fasli* year in other divisions, but not in the Rohilkhand division.

**Lala Nemi Saran:** By what date is it likely that a decision will be reached?

**The Hon'ble Sir Sam O'Donnell:** I cannot give any precise date.

#### LAND REVENUE (AMENDMENT) BILL.

\*31. **Lala Nemi Saran:** Does the Government intend to introduce the Land Revenue (Amendment) Bill in the Council? If so, when? If not, why not?

**The Hon'ble Sir Sam O'Donnell:** The answer is in the negative.

The Government have already made changes in the settlement rules which give the landlords the substantial concessions offered by the Bill of last year; and they do not recognize any obligation to reinstate legislation which is not administratively needed.

#### SETTING FIRE TO THE FORESTS IN KUMAUN DIVISION.

\*32. **Pandit Badri Dutt Pande:** (a) Will the Government be pleased to state as to why forests in the Kumaun division are being set at fire these days?

(b) Does Government know that the people of Almora district have represented the matter to the proper authorities?

(c) Do Government intend to stop this practice now and have it done during April and May instead?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) Parts of the Kumaun forests are being burnt under control early in the season in order to avoid the excessive damage which occurs if they are burnt late in the season. The procedure has been discussed at length by

the Kumaun Forest Committee and has their full approval. The Almora municipality has already burnt under control part of the Bal-dhoti forest recently entrusted to it.

(b) One petition has been received by the Commissioner from people near Bageswar and is under inquiry. Elsewhere villagers make representations direct to the local forest officers and the burning arrangements are adjusted to avoid inconvenience as far as possible. It is believed that the Bageswar petition is the result of misunderstanding. Controlled burning, once introduced, is generally appreciated and villagers come forward in large numbers to give help in burning the neighbouring forests without remuneration.

(c) No.

#### ELECTION OF PANCHES AND PADHANS IN KUMAUN.

\*33. **Pandit Badri Dutt Pande:** Is there a scheme for the election of *panches* and *padhans* in Kumaun? If not, do Government intend to introduce elections in the *panchayat* system and do away with the present system of nomination?

**The Hon'ble Nawab Muhammad Yusuf:** As regards *panches*, the answer to both parts of the question is in the negative.

**The Hon'ble Sir Sam O'Donnell:** As regards *padhans* also the answer to both parts of the question is in the negative.

#### CULTIVATION IN BANKAR LAND IN BUNDELKHAND.

\*34. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that in Bundelkhand cultivation can be done in *rankar* land only for two or three years in continuity?

**The Hon'ble Sir Sam O'Donnell:** Yes.

\*35. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that after that period the land lies unculturable for several years?

**The Hon'ble Sir Sam O'Donnell:** Yes.

\*36. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that tenants of such land are put to inconvenience and expenditure for coming to tahsil to put in surrender of the land?

**The Hon'ble Sir Sam O'Donnell:** By the provisions of section 103 (2) of the Agra Tenancy Act, 1926, a tenant wishing to surrender his holding can do so by giving to the landholder notice in writing of his intention to surrender. He does not have to go to the tahsil to do so, though he may if he so wishes make an application to the tahsildar under section 105 in addition to giving notice in writing to the landholder under section 103. The reports from all the districts of Bundelkhand show that it is only on special and rare occasions that tenants resort to section 105.

\*37. **Pandit Bhagwat Narayan Bhargava:** Has the Government any objection to stopping this procedure and to ordering patwaris to take the signature of landlord and tenant about their willingness to the surrender of the land?

**The Hon'ble Sir Sam O'Donnell:** Government do not consider it desirable that patwaris should intervene in a matter of this kind, nor in view of the facts given in the answer to question No. 36 do they consider it necessary.

**PASTURE LAND FOR FREE GRAZING OF CATTLE IN JHANSI.**

**\*38. Pandit Bhagwat Narayan Bhargava:** How much land in the Jhansi district has been left by the Forest department as pasture land for free grazing of cattle?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The only forests in the Jhansi district in which free grazing has ever been allowed are the Talbehat protected forests. These consist of fifteen small blocks, measuring in all 2,664 acres, adjacent to twelve villages. In the forest settlement of 1900 a right was recorded to free grazing in this area for cattle up to the number which the forests can support. The number of cattle for which the right to free grazing in these forests was claimed was 12,077 or nearly 5 to the acre. It was found in 1920 that the forests and the grazing in them were being destroyed, and a proposal was made to close the forest grazing and to allow grass-cutting. This proposal was approved by the Forest Board and sanctioned. When the working plan was revised, it was found that parts of these forests were showing signs of recovery and grazing was accordingly reopened in 261 acres in six of the fifteen blocks.

**\*39. Pandit Bhagwat Narayan Bhargava:** Is it a fact that till some years ago a nominal charge was made annually from owners of cattle for grazing them by Forest department?

**\*40.** Since when has this practice been discontinued in Jhansi district? And why?

Does this practice prevail elsewhere in these provinces?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** In the Jhansi range of the Jhansi Forest division small reserved forests are scattered among the grazing grounds controlled by the collector. The fee charged for grazing both in these reserved forests and in the grazing grounds controlled by the collector is two annas per head of cattle, out of which the Forest department receives a share proportionate to ratio which the reserved forest area bears to the area controlled by the collector. The Forest department actually gets about two pies per head of cattle. This practice still continues in these forests, but does not prevail in any other Government forests in these provinces.

**Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to give reasons why in only six out of fifteen blocks grazing was reopened?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** It is most probably due to the fact that grazing has not recovered in other parts.

**Pandit Bhagwat Narayan Bhargava:** Is the Government in a position to state that the signs of recovery in grazing were seen in six blocks only?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Obviously so.

**Pandit Bhagwat Narayan Bhargava:** Does the area given in answer to question No. 38 include the area of forests where two annas per head of cattle is charged?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** No.

**Pandit Bhagwat Narayan Bhargava:** Have the Government got any idea of the area covered by forests where two annas per head of cattle is charged?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** I have got no idea.

#### ARMS LICENCES IN LALITPUR SUB-DIVISION.

\* 41. **Pandit Bhagwat Narayan Bhargava:** How many arms licences were cancelled or confiscated in Lalitpur sub-division during the last two years?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** Fifty-six, of which twenty were automatically cancelled on the death of the licensees.

\* 42. **Pandit Bhagwat Narayan Bhargava:** How many appeals were filed against the order of confiscation, and what was their result?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** Three, of which two were allowed and one rejected.

#### LICENCES FOR MUZZLE-LOADING GUNS IN DISTRICTS OF KUMAUN.

\* 43. **Mr. Mukandi Lal:** (a) Will the Government be pleased to state what was the number of licences issued for muzzle-loading guns in each of the years 1923—1926 in each of the districts of Kumaun?

(b) How many licences were (1) discontinued and (2) rejected in Almora, Garhwal and Naini Tal in 1923, 1924, 1925 and 1926?

(c) Is it the intention of Government to issue instructions to district officers to be liberal in issuing new and renewing old licences?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** (a) and (b) A statement is laid on the table.

(c) No. The Government consider that the instructions already issued are sufficient.

(See Appendix B, page 55.)

**Mr. Mukandi Lal:** Will the Government be pleased to state why such a small number of licences were issued in 1926 as compared to those issued in 1923, 1924 and 1925, why a larger number of licences for firearms have been discontinued in the year 1926 than in 1923, 1924 and 1925, and why such a large number of applications for all classes of firearms have been rejected in 1926 as compared to those rejected in 1923, 1924 and 1925?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** I require further notice.

**Mr. Mukandi Lal:** Do the Government approve the policy of the officers concerned who are steadily increasing the number of licences discontinued?

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan:** If there is any justification for such an increase, they do.

**Mr. Mukandi Lal :** Have the Government made any inquiry why there is such a large decrease in the number of licences issued and such a large increase in the number of licences discontinued in the whole of Kumaun ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think that there is a steady decrease in the issue of licences for firearms in the whole of Kumaun.

**Mr. Mukandi Lal :** Will the Government please inquire as regards Garhwal where there is a steady decrease in the number of licences issued and a steady increase in the number of licences discontinued ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In the statement we have given all new licences.

**Mr Mukandi Lal :** I am referring to the applications rejected. In 1926, 439 applications were rejected, though in 1923 only 401 were rejected. Will the Government please inquire why these applications were rejected and why the licences are being issued in a smaller number ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In the first table we have given the number of new licences issued, in the second the number of licences discontinued, and in the third the number of applications rejected.

**The Hon'ble the President :** I think that there is some misunderstanding between the Hon'ble Home Member and Mr. Mukandi Lal which had better be cleared by private conversation.

#### AREA DECLARED AS RESERVED FOREST IN KUMAUN.

\* 44. **Mr. Mukandi Lal :** (a) How many square miles in area were declared as reserved forest as the result of the forest settlements of 1911—1917 in each of the three districts of Kumaun ?

(b) How much of that area in each district has been released or deforested according to the recommendation of the Kumaun Forest Grievances Committee's report (paragraph 24), and how much is still reserved ?

(c) Is the Government aware of the fact that blocks or patches of forests falling under the various sub-clauses of paragraph 24 of the afore-said report are not yet deforested in the following *pattis* of Garhwal district :—

Nadalsyun, Gagwarsyun, Katusyun, Ghurdorsyun, Bidolsyun, Dhajuli, Kandadsyun, Choprakhot and Chanthan ?

(d) Will the Government be pleased to place on the table a detailed list of such blocks with their areas and kind of forest which are not yet deforested with the names of the *pattis* they are situated in ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

(a) Almora district	...	269 square miles.
Garhwal district	...	2,125 " "
Naini Tal	...	217 " "

(b) Statements giving the information available are placed on the honourable member's table.

(c) No.

(d) In view of the answer to part (c) above the question arise,

(See Appendix C, page 51.)

**\*45. Mr. Mukandi Lal:** Do Government intend to remove the boundary of reserved forest blocks at least five chains from their present position in the *pattis* referred to in the foregoing question wherever such demarcation is near the villages and cultivation, before it finally deforests those blocks in accordance with the Kumaun Forest Grievances Committee's report (paragraph 29)?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** No.

**\*46. Mr. Mukandi Lal:** (a) How much measured land recorded in the name of the people was brought within demarcation and enclosed in reserved forest in the forest settlement of 1911—1917?

(b) How much of that land has been restored to the people in accordance with the recommendations of the Kumaun Forest Grievances Committee's report (paragraph 30)?

(c) Is it the intention of Government to hand over to the people all land that it had so brought inside reserved forest area in 1911—1917?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) Three thousand five hundred and sixty-six acres.

(b) Paragraph 30 of the Kumaun Forest Grievances Committee's report relates not to the whole area mentioned in part (a), but only to exceptional cases in which the owners of measured land taken up into reserved forests had not been fully compensated by a *nayabad* grant or by the price given for the land. The committee recommended that in individual cases in which a real grievance was still found to exist the deputy commissioner should go into the facts and revise the orders if necessary. In accordance with that recommendation 61 acres have been restored to the original owners. Paragraph 30 of the report recognizes that many of these cases will have been met by the committee's first and second remedies, namely, cancellation of reserve notification or demarcation. The total area of measured as apart from unmeasured land which has been restored under those remedies is not separately recorded. But the latest figures show that altogether over 100,000 acres have already been disforested and over a million and a quarter acres have been placed in class I forests in accordance with the recommendations of the committee.

(c) The committee never recommended that it should be done, and it is not therefore the intention of Government to do it.

**Mr. Mukandi Lal:** Will the Government be pleased to ask the district officers that they may notify to the public that the land which was taken by Government under paragraph 30 will be returned to them?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The recommendation of the committee in paragraph 30 is that where there is any genuine grievance, the District Magistrate can return the land. If therefore there is any genuine grievance and it is brought to the notice of the District Magistrate, I hope he will take the necessary steps.

#### CATTLE GRAZING FEES IN GONDA FOREST DIVISION.

**\*47. Raja Raghuraj Singh:** Is it a fact that cattle grazing fees and rates have been almost doubled in the Tikri, Bankatwa, Janakpur and Bhabar ranges of the Gonda Forest division?

If so, will the Government kindly state the reasons and circumstances that led to the change in rules?



\*48. Is it a fact that this action has seriously affected the tenantry of the Balrampur, Mankapur and other adjoining estates and has created dissatisfaction?

If so, what action does the Government propose to take in the matter?

**The Hon'ble Sir Sam O'Donnell:** The information asked for is not yet available. A reply will be given at a later date.

**Raja Raghuraj Singh:** میری بدقسمتی ہی کہ کئی مرتبہ تاریخیں تل چکی ہیں - اگر کوئی اور تاریخ مقرر ہوئی اور شاید میں اس تاریخ پر نہ ہوا تو پھر یہ معاملہ ہوں ہی تل جاویگا - میں انگریزی نہیں جانتا ہوں

**The Hon'ble Sir Sam O'Donnell:** I really cannot say, but there will be no unnecessary delay in getting the answer ready.

CASES UNDER SECTIONS 107, 109 AND 110 OF CRIMINAL PROCEDURE CODE IN LALITPUR SUB-DIVISION.

\*49. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state—

- (a) the number of cases tried under sections 107, 109 and 110 of the Criminal Procedure Code in Lalitpur sub-division since the time Mr. Brown took over charge;
- (b) the number of the said cases which resulted in conviction and in acquittal;
- (c) the number of such cases which were launched against zamindars and income-tax payers?

\*50. Is the Government aware that Mr. Brown had bound down several persons of Mahroni last year, including one sub-assistant surgeon?

\*51. Did the joint magistrate take sanction of the Government for binding down the sub-assistant surgeon?

If not, does the Government approve of the action of the joint magistrate?

\*52. Is the Government aware that the district magistrate cancelled the bonds of some? If so, on what ground?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The information has been asked for, but inquiry is not yet complete.

CONFISCATION OF ARMS LICENCE OF JAGANNATH PRASAD OF ALAPUR IN LALITPUR.

\*53. Is the Government aware that the said joint magistrate had confiscated the arms licences of one Jagannath Prasad of Alapur in Lalitpur sub-division and removed him from mukhiaship? If so, on what grounds?

\*54. Is it a fact that the district magistrate upset the orders of the joint magistrate? If so, for what reasons?

\*55. Is it a fact that subsequently a case under section 110 of the Criminal Procedure Code was started against him?

\*56. Will the Government be pleased to state what amount of revenue does this Jagannath Prasad pay, and whether he is a muafidar also?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The information has been called for, but inquiry is not yet complete.

GRANTS AND LOANS BY GOVERNMENT FOR INDUSTRIAL DEVELOPMENT.

**\*57. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if it has made any grants or advanced any loans to any factories or works for industrial development during the last two years? If so, how much and to which institutions and on what conditions?

**The Hon'ble Thakur Rajendra Singh :** A statement is laid on the honourable member's table.

(See Appendix D, page 53.)

NEW INDUSTRIES STARTED IN UNITED PROVINCES.

**\*58. Pandit Bhagwat Narayan Bhargava :** Has the Government made any practical efforts to get any new industries started in the United Provinces during the last five years? If so, in what manner?

**The Hon'ble Thakur Rajendra Singh :** The honourable member is referred to the Annual Reports of the Director of Industries for the last five years.

GRANT-IN-AID FOR AYURVEDIC AND UNANI DISPENSARIES TO  
JHANSI DISTRICT BOARD.

**\*59. Pandit Bhagwat Narayan Bhargava :** How much grant-in-aid does the Government give to the Jhansi district board for Ayurvedic and Unani dispensaries, and how much expenditure has the board provided in its budget for the next year on indigenous medical institutions?

**The Hon'ble Rai Rajeshwar Bali :** The report of the district board and commissioner has not yet been received.

FLOODS IN MAU AND GAROTHA TAHSILS IN JHANSI.

**\*60. Pandit Bhagwat Narayan Bhargava :** Is the Government aware that some villages in Mau and Garottha tahsils of Jhansi district were affected by floods during the last rains?

**The Hon'ble Sir Sam O'Donnell :** Yes.

**\*61. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the names of those villages, the number of houses demolished or damaged, the number of cattle lost and the estimate and extent of damage caused in each place?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table.

(See Appendix E, page 55.)

**\*62. Pandit Bhagwat Narayan Bhargava :** Is it a fact that much damage was caused in Mau town itself? If so, what is the estimated amount of damage as ascertained by the municipal board of Mau?

**The Hon'ble Sir Sam O'Donnell :** Yes. The municipal board estimated the loss at Rs. 46,080.

**\*63. Pandit Bhagwat Narayan Bhargava :** Is the Government aware that Bararu village in Garottha tahsil has been completely swept away?

**The Hon'ble Sir Sam O'Donnell :** Ninety-one houses out of 141 were demolished in village Bararu.

**\*64. Pandit Bhagwat Narayan Bhargava :** Is it a fact that some residents of that village had applied to the district magistrate, Jhansi, to help them to populate themselves at some other site ?

**The Hon'ble Sir Sam O'Donnell :** Yes.

**\*65. Pandit Bhagwat Narayan Bhargava :** Did they disclose in their petition that this village had been under floods twice before this year ?

**The Hon'ble Sir Sam O'Donnell :** Yes.

**\*66. Pandit Bhagwat Narayan Bhargava :** What sort of help were the residents of the village requiring from the district magistrate ?

**The Hon'ble Sir Sam O'Donnell :** They wanted two wells to be sunk for them at Government cost on a new site.

**\*67. Pandit Bhagwat Narayan Bhargava :** Will the Government state what action did the district magistrate take on their application ?

**The Hon'ble Sir Sam O'Donnell :** A new site has been suggested and *tagavi* under Act XII is being advanced for building houses on the new site. Also Rs. 200 has been given out of an allotment of Rs. 500 made by the Honorary Secretary, United Provinces Relief Fund, for this district.

**\*68. Pandit Bhagwat Narayan Bhargava :** Will the Government inform the Council what help has the Government given to the areas affected by the floods and what amount has been given from the Flood Relief Funds ?

**The Hon'ble Sir Sam O'Donnell :** A sum of Rs. 2,000 under Act XII has been sanctioned for building houses and another sum of Rs. 2 000 is being further allotted. Rupees 500 has already been given from United Provinces Flood Relief Fund.

**Pandit Bhagwat Narayan Bhargava :** Has the Government found from its inquiry that the estimate given by the municipal board was correct ?

**The Hon'ble Sir Sam O'Donnell :** I do not really know whether it was correct or not.

**Pandit Bhagwat Narayan Bhargava :** Did the Government make any attempt to inquire about the correctness of the estimate ?

**The Hon'ble Sir Sam O'Donnell :** No, the Government did not make any attempt. Whether the collector made any attempt to verify it or not, I do not know.

**Pandit Bhagwat Narayan Bhargava :** Was the request of the villagers of Bararu accepted for the construction of wells ?

**The Hon'ble Sir Sam O'Donnell :** I cannot say that. But they can certainly get *tagavi* for boring wells, I imagine.

**Pandit Bhagwat Narayan Bhargava :** Then what for the new site has been suggested by the district officer ?

**The Hon'ble Sir Sam O'Donnell :** Which new site ?

**Pandit Bhagwat Narayan Bhargava :** A new site for the village Bararu.

**The Hon'ble Sir Sam O'Donnell :** Which new site has been selected?

**Pandit Bhagwat Narayan Bhargava :** The Government has said in answer to question No. 67 that a new site has been suggested. I want to know from the Government for what purpose this new site has been suggested?

**The Hon'ble Sir Sam O'Donnell :** I presume that a new site has been suggested as the old site was unsuitable for some reason or other.

**Pandit Bhagwat Narayan Bhargava :** Will the Government state the reason why the request was not accepted?

**The Hon'ble Sir Sam O'Donnell :** Which request?

**Pandit Bhagwat Narayan Bhargava :** As given in question No. 64.

**The Hon'ble Sir Sam O'Donnell :** The question was "Is it a fact that some residents of that village had applied to the District Magistrate, Jhansi, to help them to populate themselves at some other site?" The answer I gave to that was that assistance is being given to them to build houses.

#### SALIG RAM PRISONER IN NAINI JAIL.

**\*69. Pandit Bhagwat Narayan Bhargava :** (1) Is it a fact that one Salig Ram of Barhar estate is imprisoned in Naini Jail?

(2) Will the Government be pleased to state the offence for which he was convicted and the term of sentence awarded to him?

(3) Is it a fact that he is being kept with political prisoners? If so, why?

(4) Is it a fact that he is being given European diet and is provided with *chappari*, lamp, full dress and shoes?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Yes.

(2) He was convicted on November 8, 1926 of offences under sections 436, 147, 347 and 385, I. P. C., and sentenced to three years' rigorous imprisonment and a fine of Rs. 500.

(3) The answer is in the negative.

(4) He is in receipt of special diet on medical grounds, but in all other respects is being treated in accordance with the ordinary jail regulations.

**Pandit Bhagwat Narayan Bhargava :** How long has this prisoner been getting special diet on medical grounds?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Since he got ill.

**Pandit Bhagwat Narayan Bhargava :** When did he get ill?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware of the date.

**Pandit Bhagwat Narayan Bhargava :** When was he admitted to the jail?

**The Hon'ble the President :** This is more or less a cross-examination which cannot be allowed here.

**PANDIT KRISHNA GOPAL SHARMA, PRISONER IN NAINI JAIL.**

\* 70. **Pandit Bhagwat Narayan Bhargava :** (1) Will the Government state if Pandit Krishna Gopal Sharma of Jhansi also lives in the same cell ?

(2) Is Mr. Sharma provided with full dress and shoes? If not, why?

(3) What diet is given to Mr. Sharma?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

(1) The answer is in the negative.

(2) He is provided with clothing and bedding in accordance with the jail regulations.

(3) He is given the ordinary jail rations.

\* 71. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that oil is not given to all prisoners in *dal* there?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The answer is in the negative.

**PRISONER BECOMING SENSELESS DURING PARADE.**

\* 72. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that when Colonel Clements visited the Naini Jail of late, one prisoner became senseless during parade? If so, will the Government state the reason and the action taken?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

(a) The answer is in the negative.

(b) Does not arise.

**POLITICAL PRISONERS IN THE UNITED PROVINCES JAIL.**

\* 73. **Pandit Bhagwat Narayan Bhargava :** (1) What is the number of political prisoners at present in the United Provinces jails?

(2) Do any of them get special treatment? If so, which of them?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Nil.

(2) Does not arise.

**Pandit Bhagwat Narayan Bhargava :** Are there any prisoners under section 121 or 124A as political prisoners?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I ask for notice. I am not aware of that. The question was asked whether there were any political prisoners, and the reply is that there is no such prisoner.

**Pandit Bhagwat Narayan Bhargava :** Are prisoners convicted under section 124 regarded or classed as political prisoners?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware of this section; but if they are classed as political prisoners, then there is no prisoner under this section.

**Babu Bhagwati Sahai Bedar :** How many special division prisoners are there?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I require notice.

**Pandit Govind Ballabh Pant :** Will the Government be pleased to state what the words political prisoner mean?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** This is exactly what we do not know ourselves. We have not been able to define what is a political prisoner.

**Mr. C. Y. Chintamani :** How many prisoners are there convicted of political offences ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** First of all, I would like to know what is meant by " political offence."

**Mr. C. Y. Chintamani :** Is the Hon'ble Member to ask or to answer ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Unless I understand the question, how can I possibly answer it ?

**Pandit Govind Ballabh Pant :** What did the Government understand by the question " What is the number of political prisoners at present in United Provinces jails ?" The Hon'ble the Home Member did answer this question.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As far as this province is concerned we have not recognized " political prisoners." We thought that perhaps the honourable member means something like the Bengal detenues, and this is the reply that we have given.

**Pandit Govind Ballabh Pant :** Then we infer that what the Government means is that there are no prisoners of the class of detenues as they are in Bengal.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** That is exactly so.

**Mr. Mukandi Lal :** Under what category do the Bolsheviki prisoners of the Cawnpore case come ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am unable to define under what category they come. I am not aware under what section they were sent to jail.

**Babu Bhagwati Sahai Bedar :** How are prisoners classified in jails ?

**The Hon'ble the President :** This is too wide a question.

**Babu Bhagwati Sahai Bedar :** There are various classifications. There are special division, ordinary, habitual, non-habitual, and a number of other prisoners, what I would like the Hon'ble the Home Member to let us know is—under what class those prisoners who commit political offences are classified ?

**The Hon'ble the President :** Does the honourable member want to know whether they are habituals ?

#### MATHURA DAS GANDHI OF JHANSI.

\* 74. **Pandit Bhagwat Narayan Bhargava :** (1) Is the Government aware that one Mathura Das Gandhi of Jhansi has recently been released from jail ?

(2) Was he convicted of an abetment of offence under the Arms Act ? If so, what was the particular nature of his offence ?

(3) Is it a fact that Jhansi police awakes him every night several times ?

(4) Are there any Government rules which require police surveillance at night of all sorts of convicts ? If so, will the Government lay a copy of the rules on the table ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Yes.

(2) He was convicted under section 20 of the Arms Act. He was one of a party of three men who were travelling in a tonga in which a revolver was found. He admitted in court that the revolver was his and that he had no licence for it.

(3) No.

(4) (a) No.

(b) Does not arise.

#### MAU-PUNCH ROAD.

\*75. **Pandit Bhagwat Narayan Bhargava :** (1) Is the Government aware that the condition of Mau-Punch metalled road is very bad?

(2) Is it a fact that there is much traffic on the road?

(3) What is the total length of this road?

(4) How much has the district board provided for the renewal of this road in its next year's budget?

**The Hon'ble Nawab Muhammad Yusuf :** The report of the Commissioner and the district board has not yet been received.

#### PAY OF JHANSI DISTRICT BOARD SERVANTS.

\*76. **Pandit Bhagwat Narayan Bhargava :** (1) Is it a fact that the pay of Jhansi district board servants, specially teachers and pound-keepers, is not paid out regularly every month?

(2) Will the Government state the dates for the last six months when the teachers and pound-keepers got their pay?

(3) Will the Government be pleased to state the total expenditure of the board on general establishment and also on public works establishment?

(4) What is their annual income from cess rates.

**The Hon'ble Nawab Muhammad Yusuf :** The report of the Commissioner and the district board has not yet been received.

#### JOINT SECRETARY TO JHANSI DISTRICT BOARD.

\*77. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if the Commissioner of Jhansi division has objected to the appointment of a joint secretary to the Jhansi district board or has he approved of it? If so, on what grounds?

**The Hon'ble Nawab Muhammad Yusuf :** The report of the Commissioner and the district board has not yet been received.

#### ANNUAL REPAIRS TO INSPECTION HOUSES, SCHOOLS, AND POUNDS IN JHANSI.

\*78. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if annual repairs have been done to the inspection houses, schools and pounds in Jhansi in this year? If so, to how many?

**The Hon'ble Nawab Muhammad Yusuf :** The report of the Commissioner and the district board has not yet been received.

## TRADE UNIONS.

\*79. **Pandit Govind Ballabh Pant**: How many trade unions are there in these provinces and what is the total number of their members?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: Government have no information, as the new Trade Unions Act does not come into force until April, 1927.

## LUNATICS SENT TO MENTAL DISEASES HOSPITAL, RANCHI.

\*80. **Pandit Govind Ballabh Pant**: (a) How many lunatics were sent from the United Provinces to the Mental Diseases Hospital at Ranchi in 1926?

(b) What was the contribution per head that this Government paid to the Bihar and Orissa Government on this account in 1924, 1925 and 1926 respectively?

(c) What was the average annual expenditure per head in the Bareilly and Agra lunatic asylums during the last three years?

**The Hon'ble Rai Rajeshwar Bali**: (a) Eighteen.

(b) The contribution per head paid by this Government in 1925, was Rs. 2,077·5. The figures for 1924 and 1926 are not available.

(c) The average annual expenditure per head in the Bareilly and Agra mental hospitals during the last three years is as follows:—

				<i>Bareilly.</i>	<i>Agra.</i>
1924	...	...	...	160·4	200·2
1925	...	...	...	183·8	216·8
1926	...	...	...	196·86	231·01

**Pandit Govind Ballabh Pant**: How many of those who went to the asylum were Indians?

**The Hon'ble Rai Rajeshwar Bali**: I believe none.

**Pandit Govind Ballabh Pant**: Who were they?

**The Hon'ble Rai Rajeshwar Bali**: They were Europeans: the hospital is for Europeans.

**Pandit Govind Ballabh Pant**: How many of them were Europeans in the orthodox sense of the term and how many were Anglo-Indians?

**The Hon'ble Rai Rajeshwar Bali**: I ask for notice.

**Pandit Govind Ballabh Pant**: How many of them were colonials?

**The Hon'ble Rai Rajeshwar Bali**: I ask for notice.

**Pandit Govind Ballabh Pant**: Does the Government receive any copy of the budget of this hospital?

**The Hon'ble Rai Rajeshwar Bali**: Yes, we do.

**Pandit Govind Ballabh Pant**: Does not the Government make any contribution on the number of patients that are sent from this province?

**The Hon'ble Rai Rajeshwar Bali**: Yes.

**Pandit Govind Ballabh Pant**: Is the Government in a position to state what was the contribution per head in 1924 to 1926?



**The Hon'ble Rai Rajeshwar Bali :** We know the money that we contribute, but we do not know the exact number of patients that were sent.

**Pandit Govind Ballabh Pant :** Does the Government not receive any report stating the number of patients from this province in that asylum every year ?

**The Hon'ble Rai Rajeshwar Bali :** We have received a report for 1925. I do not know why we did not receive any for the year 1924.

**Pandit Govind Ballabh Pant :** Can the Government state the reason why the expenditure for one month in this Ranchi Mental Diseases Hospital is more than the expenditure for the whole of the year in the Lunatic Asylum in our province ?

**The Hon'ble the President :** That is a sort of discussion.

**Pandit Govind Ballabh Pant :** He who is responsible for getting the money from the Government must give the reason ?

**The Hon'ble Rai Rajeshwar Bali :** It is regulated by an Act.

**Pandit Govind Ballabh Pant :** Can the Hon'ble Minister give the details of the expenditure of Rs. 2,077 per head ?

**The Hon'ble Rai Rajeshwar Bali :** We cannot give any details.

**Pandit Govind Ballabh Pant :** Is it the intention of the Government to get a reduction in the total contribution so that the cost per head may be reduced ?

**The Hon'ble Rai Rajeshwar Bali :** It is regulated by an Act of the Assembly and not by a local Act.

**Pandit Govind Ballabh Pant :** Is it the intention of the Government to move those in charge of this in the Assembly to reduce this contribution ?

**The Hon'ble Rai Rajeshwar Bali :** I do not think we can do it.

**Pandit Govind Ballabh Pant :** Is it not open to this Government to move the Government of India in the matter ?

**The Hon'ble the President :** This is hardly a supplementary question and it does not arise out of the question on the paper.

**Pandit Govind Ballabh Pant :** It does arise out of the answer ?

**The Hon'ble the President :** I do not think it does.

#### SACRED THREADS TO PRISONERS.

\* 81. **Pandit Govind Ballabh Pant :** Can the Government state how many *janeos* (sacred threads) were supplied to prisoners in 1926 and what was the cost incurred on this account ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The number of *janeos* (sacred threads) supplied to prisoners in 1926 was 7,585 and the cost incurred approximately Rs. 50—6—0.

#### LAND REVENUE (AMENDMENT) BILL.

\* 82. **Pandit Govind Ballabh Pant :** When does the Government intend to re-introduce the Land Revenue Act Amendment Bill in the Council ?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the reply given today to Babu Nemi Saran Sahib's starred question No. 31.

### HUMAN BEINGS KILLED BY WILD ANIMALS IN KUMAUN.

\* 83. **Pandit Govind Ballabh Pant** : Can the Government state the number of human beings killed by wild animals in Kumaun during the last twelve months?

Is it a fact that some persons have been killed by a man-eater in Koshian and similarly in the eastern *pattis* of Naini Tal district recently? If so, how many? What action has been taken to protect people against such depredations?

Is it the intention of Government to remove all restrictions in the matter of shooting of dangerous wild beasts and to direct the local authorities to issue licences of breech-loading guns freely to the people living in the neighbourhood of forests?

**The Hon'ble Sir Sam O'Donnell** : (1) So far as is known, 41 persons were killed by wild animals in Kumaun during the last twelve months.

(2) Five persons were killed in Koshian, four in the eastern *pattis* round Chaugarh and one near Rathighat. It is believed that three different tigers are responsible. All have been proclaimed and rewards offered for their destruction. There is reason to hope that one was recently killed by an officer from Ranikhet, but it is impossible to verify the fact.

(3) Draft rules have been framed increasing the rewards for tigers in the hills and removing certain restrictions. The Kumaun Forest Committee has also proposed that every holder of a licence for crop-protection should be allowed to kill tigers and leopards, wherever found, within or without his village. This is being examined. Gun licences are freely given, but the guns are found in practice to be used against less dangerous game.

**Pandit Govind Ballabh Pant** : Are these gun licences for muzzle-loading guns or for breech-loading guns?

**The Hon'ble Sir Sam O'Donnell** : I do not know. I shall have to ask for notice of that.

**Pandit Govind Ballabh Pant** : Is it a fact that it is difficult for anybody to shoot tigers with muzzle-loading guns?

**The Hon'ble Sir Sam O'Donnell** : I think it all depends upon the condition in which shooting is done, i.e., whether it is shooting from a *machan* or in some other way.

**Pandit Govind Ballabh Pant** : Will the Government instruct local authorities to issue licences for breech-loading guns freely?

**The Hon'ble Sir Sam O'Donnell** : I cannot give any undertaking of that kind. I do not think it will have any effect on the destruction of tigers. In the last part of my reply I have already said that guns are in practice not used for more dangerous game.

**Pandit Govind Ballabh Pant** : Licences are given for muzzle-loading guns, they cannot be used for that purpose.

**The Hon'ble Sir Sam O'Donnell** : I do not see that at all.

**Mr. A. P. Dube** : Muzzle-loading guns are used. . . .

**The Hon'ble the President** : I see the honourable member is giving information and not asking for it.

**Pandit Badri Dutt Pande :** Are there any orders that no non-co-operators should get licences in Kumaun ?

**The Hon'ble the President :** That hardly arises out of the question.

LAND BEHIND QAISARBAGH, LUCKNOW.

\* 84. **Khwaja Khalil Ahmad Shah :** Is the Government aware that the open space of land behind Qaisarbagh at a stone's throw from the present Council Chamber facing the Commissioner's court, Lucknow, towards the east and formerly occupied by houses belonging to Messrs. Muhammad Nasim and Muhammad Fasih is being used by the public for stocking all sorts of rubbish ?

**The Hon'ble Nawab Muhammad Yusuf :** It is not correct to say that the land is used for stocking rubbish.

**Mr. C. Y. Chintamani :** For what is it used ?

**The Hon'ble Nawab Muhammad Yusuf :** It remains a little untidy; the report shows that it is not being used for stocking rubbish as is suggested in the question.

\* 85. **Khwaja Khalil Ahmad Shah :** Will the Government be pleased to state—

- (a) for what object was the land referred to in the previous question acquired by Government ;
- (b) why has the Government not taken any steps to achieve the object it had in view ;
- (c) does the Government propose to undertake the carrying out of the contemplated object immediately ; or
- (d) can it state definitely the period within which it would be in a position to do so ?

**The Hon'ble Sir Sam O'Donnell :** (a) For building new offices for the Deputy Commissioner of Lucknow.

(b) For lack of funds.

(c) & (d) Government propose to take up the work when funds become available. They cannot say when that will be.

\* 86. **Khwaja Khalil Ahmad Shah :** If the Government is unable for any reason whatsoever, to carry out the object in view, will it be pleased to consider the advisability of enclosing the entire piece of land by a barbed wire fencing and convert it into a lawn or a park ?

**The Hon'ble Nawab Muhammad Yusuf :** Government will consider the suggestion.

NIGHT SCHOOLS FOR DEPRESSED CLASSES.

\* 87. **Babu Ram Charana :** Will the Government be pleased to state the total number of night schools in the rural and urban areas of the different districts of these provinces

How many of them are depressed class schools ?

What was the total number of students reading in these schools on January 1, 1927 ?

What was the number of depressed class students in them ?

What was the total number of teachers and what was the number of depressed class teachers out of these ?

**The Hon'ble Rai Rajeshwar Bali :** Information is being collected and a reply will be given at a later date.

*VILLAGE panchayats.*

\* 88. **Babu Ram Charana :** Will the Government be pleased to state the total number of village *panchayats* in the different districts of these provinces? How many *panches* and *sarpanches* out of these belong to the depressed classes in each *panchayat*? Will the Government be pleased to give the names and castes of such depressed class *panches* and *sarpanches*?

**The Hon'ble Nawab Muhammad Yusuf :** The preparation of the necessary statements is elaborate and is not yet complete.

NOMINATION OF DEPRESSED CLASS MEMBERS TO DISTRICT AND MUNICIPAL BOARDS.

\* 89. **Babu Ram Charana :** With reference to the answer to starred question No. 1 of Khan Bahadur Hafiz Hidayat Husain of June 25, 1926, will the Government be pleased to give the reasons for not nominating depressed class men as members of the district and municipal boards in 1925-26 in the districts in which they were not nominated?

**The Hon'ble Nawab Muhammad Yusuf :** In making nominations to represent the depressed classes the guiding principle with the Government has been to select men fitted by education and otherwise to further and safeguard their interests in the boards. Where suitable members of the depressed classes were available they were nominated; otherwise preference was given to those who had worked among them and were interested in their welfare. Failing both these classes of persons other suitable persons were appointed; but such cases were very rare indeed.

\* 90. **Babu Ram Charana :** Will the Government be pleased to state the castes of the depressed class nominated members shown in the statement of the said answer for 1925-26?

**The Hon'ble Nawab Muhammad Yusuf :** Kumhars, Jatya, Kachhi, Pasi, Teli, Chamar, Nai and Bhangi.

\* 91. **Babu Ram Charana :** (a) Will the Government, in cases of districts where no depressed class man has been nominated, be pleased to state the names and castes of the gentlemen who were nominated instead of depressed class men?

(b) Were such nominated men appointed on their own applications or on the recommendations of district officers?

**The Hon'ble Nawab Muhammad Yusuf :** (a) A statement is being prepared and will be laid on the table. It is understood that the honourable member refers to those gentlemen who were nominated because they take particular interest in the depressed classes.

(b) No one has been appointed merely on his own application. The appointments have generally been made on the recommendation of district officers and commissioners.

\* 92. **Babu Ram Charana:** Will the Government be pleased to state if it is a fact that applications for the nominations were made by depressed class candidates? If so, will the Government be pleased to state the reasons why their applications were rejected?

**The Hon'ble Nawab Muhammad Yusuf:** There have been applications. The Government are not prepared to say why some applicants have been unsuccessful.

\* 93. **Babu Ram Charana:** Will the Government be pleased to state what steps, if any, are going to be taken to ensure the nomination of representatives from among the depressed classes only in local bodies in future?

**The Hon'ble Nawab Muhammad Yusuf:** When nominations have again to be made the Government will, as usual, inquire whether there is a suitable representative of the depressed classes.

**Babu Ram Charana:** Does Government make any inquiry to find out suitable members of the depressed classes?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

**Pandit Iqbal Narayan Gurtu:** On what principle does Government recognize certain castes as belonging to depressed classes?

**The Hon'ble Nawab Muhammad Yusuf:** It is difficult to give a hard and fast definition, but we think that the expression "depressed classes" is rather a loose expression, an expression which may be interpreted only with reference to local conditions.

**Pandit Iqbal Narayan Gurtu:** Is it confined only to those who are untouchables?

**The Hon'ble Nawab Muhammad Yusuf:** As I have already said, it is difficult to give a hard and fast definition of that.

**Pandit Iqbal Narayan Gurtu:** I am trying to make my intelligence a little clearer on this point because every day there are questions coming up as to what is being done for depressed classes. Surely we must know something as to who are called depressed classes. May I know if it is classes who are backward in education or backward economically that are called depressed classes?

**The Hon'ble the President:** I think there should be a round table conference for defining the expression "depressed classes."

**Thakur Manjit Singh Rathor:** Is it a fact that Indian Christians are regarded as a depressed class?

No reply.

**Pandit Iqbal Narayan Gurtu:** Is it a fact that the Education department has published a list of the depressed classes? If so, on what principle have they proceeded?

**The Hon'ble Nawab Muhammad Yusuf:** It is for the Education department to say.

**Pandit Iqbal Narayan Gurtu:** Am I to understand that there is no such list?

**The Hon'ble Nawab Muhammad Yusuf:** It is for the Hon'ble the Minister for Education to say.

**Pandit Iqbal Narayan Gurtu :** Am I to understand the position then that Government do not themselves know who are really depressed classes ?

**The Hon'ble Nawab Muhammad Yusuf :** They find it very difficult to define it.

**Pandit Iqbal Narayan Gurtu :** If any application is made by anybody saying that he belongs to a depressed class, is he taken to be as such ?

**The Hon'ble Nawab Muhammad Yusuf :** Not so certainly, that will depend upon each individual case.

**Pandit Iqbal Narayan Gurtu :** Am I to understand that Government exercise some discrimination in the matter ?

**The Hon'ble Nawab Muhammad Yusuf :** I presume so.

**Pandit Iqbal Narayan Gurtu :** On what principle is that discrimination exercised ?

**The Hon'ble Sir Sam O'Donnell :** "Commonsense."

**Pandit Iqbal Narayan Gurtu :** I hear it is commonsense. I should like to know what that commonsense is in this matter.

**The Hon'ble the President :** I am afraid that will have to be left to commonsense again.

**Mr. A. P. Dube** said something which was not audible on which the Hon'ble the President remarked :—

"I cannot permit such sort of supplementary questions. They are going beyond the legitimate scope of interpellations and turning into discussion."

**Babu Bhagwati Sahai Bedar :** How does Government differentiate between depressed classes and *achhuts* ?

Do the *achhuts* come within the "depressed classes" ?

**The Hon'ble Nawab Muhammad Yusuf :** Well, as I have said, it does not admit of any definition. We take each individual case and decide it on the merits.

**The Hon'ble the President :** I hope everyone here knows what "depressed classes" means.

**Pandit Iqbal Narayan Gurtu :** Will Government consider the desirability of appointing a committee to discuss the principle on which depressed classes are to be recognized as such ; otherwise I am afraid everybody would soon become a depressed class ?

**The Hon'ble the President :** Is it my suggestion of a round-table conference ?

**Mr. C. Y. Chintamani :** Will the Hon'ble Minister state why nominations are made generally on the recommendations of district officers and commissioners ?

**The Hon'ble Nawab Muhammad Yusuf :** Because they are the men on the spot and they are in a better position to find out more about these individual cases than we are here.

**Mr. C. Y. Chintamani :** Are they officers serving in the Transferred departments ?

No reply.

**Pandit Bhagwat Narayan Bhargava :** Is it a fact that the Government failed to get suitable men belonging to the depressed classes in certain districts for being nominated ?

**The Hon'ble Nawab Muhammad Yusuf :** In some districts we did not find suitable men of the depressed classes and therefore there we nominated men who were interested in them.

**Pandit Bhagwat Narayan Bhargava :** Did the Government make any attempt to get suitable men of the depressed classes from non-official sources ?

**The Hon'ble Nawab Muhammad Yusuf :** The question is rather indefinite; has the honourable member got any particular case in mind ?

**Pandit Bhagwat Narayan Bhargava :** Who was nominated in the district of Muttra, in the district of Dehra Dun ?

**The Hon'ble Nawab Muhammad Yusuf :** I must ask for notice; I cannot tell this off hand.

**Pandit Bhagwat Narayan Bhargava :** Did the Government make any attempt to get the names of suitable persons of depressed classes for nominations in districts where no persons of those classes were nominated ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Pandit Bhagwat Narayan Bhargava :** Did the Government get information from district officers or Commissioners or from non-official sources also ?

**The Hon'ble Nawab Muhammad Yusuf :** From district officers.

#### OPERATION OF THE VILLAGE PANCHAYATS ACT, VI OF 1920.

\*94. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table regarding the operation of the Village Panchayats Act, VI of 1920, in these provinces giving information on the following points :—

- (1) The total number of villages in each district.
- (2) The total number of village *panchayats* established in each district with the total number of villages served by the *panchayats*.
- (3) The total number of *panchayats* in each district ?

**The Hon'ble Nawab Muhammad Yusuf :** The preparation of the necessary statements is elaborate and is not yet complete.

#### OPERATION OF THE VILLAGE SANITATION ACT.

\*95. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table giving the following information regarding the operation of the Village Sanitation Act :—

- (1) The total number of villages in each district.
- (2) The total number of villages in each district to which the Village Sanitation Act has been applied.
- (3) The total number of villages in each district where the Village Sanitation Act is administered through the agency of village *panchayats* constituted under the Village Panchayats Act of 1920 ?

- (4) The agency or agencies other than the village *panchayats* which administer the Village Sanitation Act in other villages.

**The Hon'ble Rai Rajeshwar Bali :** The preparation of the necessary statements is elaborate and is not yet complete.

#### ANNUAL ALLOTMENT FOR SANITARY MEASURES IN VILLAGES.

\* 96. **Pandit Nanak Chand :** Will the Government be pleased to state as to what is the latest annual allotment made by the Government for sanitary measures in villages for each district and what portion of the said allotment is spent through the district public health schemes and what portion is spent through other agencies and what are those agencies?

**The Hon'ble Rai Rajeshwar Bali :** The preparation of the necessary statements is elaborate and is not yet complete.

#### HINDU RELIGIOUS AND CHARITABLE ENDOWMENTS.

\* 97. **Pandit Nanak Chand :** When and what action do Government intend to take to give effect to the assurance given to the Council on the resolution regarding Hindu religious and charitable endowments?

**The Hon'ble Rai Rajeshwar Bali :** The Government hope to appoint a committee soon.

#### HONORARY ASSISTANT COLLECTORS AND BENCH AND SPECIAL MAGISTRATES IN BULANDSHAHR.

\* 98. **Pandit Nanak Chand :** Will the Government be pleased to lay a statement on the table showing the names of the honorary assistant collectors and honorary bench and special magistrates in Bulandshahr district with the amount of (1) income-tax and (2) revenue paid by each of them on account of zamindaris standing in their own names, with their ages and the periods for which they have acted as such honorary officers?

**The Hon'ble Sir Sam O'Donnell :** A statement giving the information about honorary assistant collectors is laid on the table.

(See Appendix F, page 56).

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** A statement containing the information required in regard to honorary magistrates is laid on the honourable member's table.

(See Appendix G, page 57).

#### ADMISSION OF A HINDU PATIENT IN THE DISTRICT HOSPITAL, BAREILLY.

\* 99. **Pandit Nanak Chand :** (a) Is it a fact that a representation was addressed by the Hindu Sabha of Bareilly to the District Officer and to the Civil Surgeon of Bareilly about September last complaining that a Hindu patient accompanied by his two minor sons was admitted to the district hospital, where the said patient died a day or two after his admission and that his dead body and the two minor sons were made over to the Muhammadan orphanage?

(b) Is it a fact that the inquiry into the complaint was entrusted to a Muhammadan police officer?



(c) Is it a fact that the minor sons of the deceased have not yet been traced ?

(d) Is it a fact that the inquiry has brought out the following facts :—

(i) that the patient was on his admission into the hospital registered as a Muhammadan patient ;

(ii) that about a month before the same patient had been admitted into the same hospital as a Hindu patient and had been discharged as only partially healed ;

(iii) that the top-knot of this patient's head was cut after his death on the premises of the hospital ?

(e) What action do the Government intend to take in this matter ?

**The Hon'ble Rai Rajeshwar Bali :** (a) Yes.

(b) Yes.

(c) No. The boys have rejoined their mother who had deserted her husband before his death.

(d) (1) Yes.

(2) Yes.

(3) This is not true.

(e) The deceased was a very poor man who came to Bareilly in search of work. After his discharge from hospital he was unable to settle in the village where he went and returned to Bareilly with his sons and was converted to Islam. His friends sent him to the hospital and looked after him while he was there. After his death his body was handed over in accordance with custom to the Islamia orphanage. The Government do not propose to take any further action in the case.

#### ACTION TAKEN ON RESOLUTIONS PASSED BY THE PUBLIC HEALTH CONFERENCE.

\* 100. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state what action it has taken on the various resolutions passed by the Public Health Conference held at Naini Tal in the month of September, 1925 ?

**The Hon'ble Rai Rajeshwar Bali :** Information is not yet complete. A reply will be given at a later date.

#### UNSTARRED QUESTIONS.

##### FRESH STAMP FEE OF ENROLMENT BY LEGAL PRACTITIONERS.

1. **Khan Bahadur Maulvi Fasih-ud-din :** Under what law does the High Court demand from legal practitioners fresh stamp fee of enrolment in each of the districts apart from that district in which the pleader usually practises ?

**Mr. R. L. Yorke :** The Legal Practitioners Act (XVIII of 1879).

##### APPLICATION FOR ENROLMENT.

2. **Khan Bahadur Maulvi Fasih ud-din :** Under what rules does the High Court insist on the application for enrolment in suitable cases,

being sanctioned, not by the district judge, but by the High Court itself?

**Mr. R. L. Yorke :** (1) Rules of August 10, 1904 (page 125 of the Rules of the High Court of Judicature at Allahabad).

(2) General Rules (Civil), 1911.

#### HINDU AND MUHAMMADAN STUDENTS IN MEDICAL SCHOOL, AGRA.

3. **Pandit Rahas Bihari Tiwari :** Will the Government give the number of Hindu and Muhammadan students admitted to the Medical school, Agra, every year since 1921 to 1926?

4. What was the proportion of Hindu and Muhammadan students in the Medical school, Agra, in the year 1921 and what is it now?

**Sir Ivo Elliott :** A statement is laid on the table.

(See Appendix H, page 58).

#### ENTRANCE EXAMINATION IN MEDICAL SCHOOL, AGRA.

5. **Pandit Rahas Bihari Tiwari :** Will the Government advise the introduction of an entrance examination in the Medical school, Agra, like the one there is in King George's Medical College, Lucknow?

**Sir Ivo Elliott :** No; this is not practicable.

#### GRADE EXAMINATIONS OF OFFICERS OF PROVINCIAL SUBORDINATE MEDICAL SERVICE.

6. **Pandit Rahas Bihari Tiwari :** Is it a fact that all the papers in the grade examinations of the officers of Provincial Subordinate Medical service are set by the Principal, Medical School, Agra? Will the Government order that, in future, the papers should be set by the lecturers of their respective subjects, who carry out the rest of the grade examination?

**Sir Ivo Elliott :** The papers are set from the questions prepared by the respective lecturers after they have been moderated by the principal and approved by the Inspector-General of Civil Hospitals.

#### STUDENTS IN PATWARI SCHOOLS AT FYZABAD AND LUCKNOW.

7. **Khan Bahadur Hafiz Hidayat Husain :** How many students are there under training in the Patwari schools at Fyzabad and Lucknow?

Will the Government be pleased to state the reason of the paucity of Muslim pupils in these schools?

**Mr. H. A. Lane :** (a) Fyzabad 89; Lucknow 71.

(b) The reason is partly that in filling vacancies preference is, under the rules given to patwaris appointed on condition that they pass the examination within a specified period and to the heirs of patwaris and partly to the fact that the post of patwari does not appear to be popular among Muslims of these divisions.

#### MUFTI ESTATE, JAUNPUR.

8. **Khan Bahadur Hafiz Hidayat Husain :** When was the Mufti estate in Jaunpur taken over under the management of the Court of Wards? What was the amount of the debt when the management was assumed? What is the amount of the debt now (inclusive of interest)?

**Mr. H. A. Lane :** The estate was taken provisionally under the management of the Court of Wards in February, 1924. In his report for assumption of charge the collector reported the liabilities of the estate at Rs. 1,54,300 but on inquiry under section 17 of the Court of Wards Act they were found to be Rs. 2,46,010 inclusive of interest up to June 30, 1926. About a sum of Rs. 6,000 the inquiry was then incomplete.

**9. Khan Bahadur Hafiz Hidayat Husain :** What is the amount of the debt paid off since the management was assumed? How many years would it take to pay off the debt under the scheme prepared at the time of assumption for liquidation of the debt?

**Mr. H. A. Lane :** Rupees 9,313.

No scheme of liquidation can be prepared till the inquiry under section 17 reveals the liabilities. In this case when that inquiry was complete, it was decided to release the estate; so no scheme of liquidation was drawn up.

**10. Khan Bahadur Hafiz Hidayat Husain :** Did the Creditors agree to relinquish portions of their claims if the Court of Wards assumed management of the property? If so, what is the percentage of the agreed reduction?

**Mr. H. A. Lane :** Certain creditors agreed to remit Rs. 17,998 which works out at 7.6 per cent. of the amount of claim confirmed.

**11. Khan Bahadur Hafiz Hidayat Husain :** Do the Court of Wards intend to give up the management of the estate now? If so, why?

**Mr. H. A. Lane :** (1) Government have already sanctioned the release of the estate and necessary orders have been issued to local officers.

(2) The income of the estate was found to be less than and the liabilities to be far greater than the figures originally reported. The only way of saving part of the estate was by selling the best villages and to this the wards would not agree.

**12. Khan Bahadur Hafiz Hidayat Husain :** Is it a fact that considerable money belonging to the estate has been lodged in the district treasury from time to time without its being utilized towards the reduction of the debt?

**Mr. H. A. Lane :** No. The closing balance at the credit of the estate on September 30, 1924, 1925 and 1926, stood at Rs. 7,514, Rs. 13,950 and Rs. 10,324 respectively.

#### FINES AND COMPENSATION REALIZED FROM CERTAIN RESERVES IN ALMORA DISTRICT.

**13. Pandit Badri Dutt Pande :** Will the Government be pleased to state the amount of fines, compensation, etc., realized from the people for alleged damages, etc., during the last two years in the following reserves? :—

(1) Someswar range (Almora district).

(2) Maharpali block in Khapdoli range (Almora district).

(3) Reserve forests near Bageswar (Almora district).

**Mr. H. A. Lane :** A statement is laid on the table.

(See Appendix I, page 59.)

#### HEREDITARY PATWARIS IN ALMORA DISTRICT.

14. **Pandit Badri Dutt Pande :** (a) Will the Government be pleased to state how many posts of hereditary patwaris there are in the Almora district ?

(b) Do the Government intend to abolish these hereditary posts, or at least see that those hereditary patwaris are not employed in the *pattis* of which they are the residents ?

**Mr. H. A. Lane :** (a) There are no posts of hereditary patwaris in the district.

(b) The question does not arise.

#### FINES FOR CULTIVATING NAYABAD LAND IN ALMORA DISTRICT.

15. **Pandit Badri Dutt Pande :** Will the Government be pleased to state the amount of fines, etc., levied from the agriculturists of the Almora district for cultivating *nayabad* land without previous sanction during the last three years ?

**Mr. H. A. Lane :** The information asked for is not yet available. A reply will be given at a later date.

#### DEATH OF RAJA SIR SAIYID ABU JAFAR.

**The Hon'ble the President :** Since we met last we have had to mourn the loss of one of the members of this Council in Raja Sir Saiyid Abu Jafar. The late Raja Sahib was a familiar figure in the first reformed Council and lately he was nominated as a member of this Council. The Raja Sahib fell suddenly ill and met rather a tragic death after a brief illness in the midst of rejoicings. I am sure that every one in this House will join with me in sympathising with the family of the deceased in their bereavement. The Raja Sahib had a certain quiet dignity about him, such as is associated with the members of the aristocracy in this province and especially in Oudh. He was a gentleman of unostentatious manners. I am sure the House regrets the loss in these circumstances.

#### BOARD OF AGRICULTURE.

**The Hon'ble the President :** The non-official members of the Council are required to elect three members from among themselves to serve on the Board of Agriculture.

Kunwar Bikram Singh, Khan Bahadur Hakim Mahbub Ali Khan and Thakur Sadho Singh were proposed by Sirdar Nihal Singh and seconded by Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.

Pandit Shri Sadayatan Pande was proposed by Rai Bahadur Lala Mathura Prasad Mehrotra and seconded by Thakur Shiva Shankar Singh.

**The Hon'ble the President :** For three seats, the following four names have been proposed :—

1. Kunwar Bikram Singh.
2. Khan Bahadur Hakim Mahbub Ali Khan.
3. Thakur Sadho Singh.
4. Pandit Shri Sadayatan Pande.

The honourable members will now vote.

## PROVINCIAL CATTLE-BREEDING COMMITTEE.

**The Hon'ble the President:** The non-official members are required to elect two members from amongst themselves to serve on the Provincial Cattle-breeding Committee.

Khan Bahadur Saiyid Jafar Husain and Rai Bahadur Babu Abhai-nandan Prasad were proposed by Sirdar Nihal Singh and seconded by Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.

Rai Bahadur Lala Mathura Prasad Mehrotra was proposed by Rai Bahadur Babu Vikramajit Singh and seconded by Thakur Shiva Shankar Singh.

**The Hon'ble the President:** The following three names have been proposed to serve on the Provincial Cattle-breeding Committee :—

- (1) Khan Bahadur Saiyid Jafar Husain,
- (2) Rai Bahadur Babu Abhai-nandan Prasad, and
- (3) Rai Bahadur Lala Mathura Prasad Mehrotra.

The honourable members will now vote,

## AGRICULTURAL COLLEGE, CAWNPORE.

**The Hon'ble the President:** The non-official members of the Council are required to elect two members from amongst themselves to serve on the governing body of the Agricultural College, Cawnpore.

Raja Kushal Pal Singh and Rai Bahadur Babu Mohan Lal were proposed by Sirdar Nihal Singh and seconded by Pandit Brijnandan Prasad Misra.

Babu Kavendra Narayan Singh and Rai Bahadur Babu Vikramajit Singh were proposed by Rai Bahadur Lala Mathura Prasad Mehrotra and seconded by Thakur Shiva Shankar Singh.

**The Hon'ble the President:** For two seats the following four names have been proposed :—

- Raja Kushalpal Singh,  
 Rai Bahadur Babu Mohan Lal,  
 Babu Kavendra Narayan Singh, and  
 Rai Bahadur Babu Vikramajit Singh.

The honourable members will now vote.

## INDIAN INSTITUTE OF SCIENCE, BANGALORE.

**The Hon'ble the President:** The non-official members of the Council are required to elect one member from amongst themselves to serve on the Court of the Indian Institute of Science, Bangalore.

Pandit Bhagwat Narayan Bhargava was proposed by Pandit Brijnandan Prasad Misra and seconded by Thakur Manjit Singh Rathor.

Mr. J. P. Srivastava was proposed by Rai Bahadur Babu Vikramajit Singh and seconded by Babu Shyam Lal.

**The Hon'ble the President:** For one seat the following two names have been proposed :—

- Pandit Bhagwat Narayan Bhargava and Mr. J. P. Srivastava, M. sc.  
 The honourable members will now vote.

**THE BUDGET, 1927-28.**

**The Hon'ble Sir Sam O'Donnell** presented the budget of the United Provinces for the year 1927-28.

He said:—

I RISE to present the budget for 1927-28. This budget is the first that has been prepared under the new system of accounts, and I think it will be as well if I explain the difference between budget making under that system and under the old. Under the old system all controlling officers sent their departmental budgets in the first place to the Accountant-General, who checked and modified them on the basis of the actuals of past years. He then sent them to the Finance department, who checked them anew and subsequently passed them. Thereafter the Finance department returned them to the Accountant-General, who subjected them to a final check and then had them printed. The Accountant-General, moreover, was entirely responsible for the preparation of the revised; all that the Finance department could do was to offer advice regarding any particular estimate. His revised was usually based on the actuals of six or occasionally seven months, since no later figures were available. For all this work the Accountant-General had only one small and over-worked section, which did not, and indeed could not, possess full knowledge of the circumstances of every department.

Under the new system the controlling officer sends his budget estimates to his own Pay and Accounts Officer, who deals with them in much the same manner as the Accountant-General formerly did. But whereas the Accountant-General had to deal with all the budget estimates of the province, each Pay and Accounts Officer has only a few budgets to handle. Since, moreover, he is in constant touch throughout the year with the expenditure of a department, he has full knowledge of its work and can sympathize with its difficulties. Thereafter the Pay and Accounts Officer sends budgets, as under the old system, to the Finance department who carry out the same scrutiny as before; but since the department now possesses all available figures, the scrutiny is much more complete and detailed. The Finance department is also now responsible for the final check and the printing and also for the revised estimate. The Pay and Accounts Officers certainly prepare it on the same basis as the Accountant-General formerly did, but the Finance Secretary revises it item by item on the basis of eight months' actuals.

This new system has many advantages. Control over expenditure is closer; the data on which the estimates are framed are fuller and more accurate, and the responsibility for the revised and for much of the budget estimates no longer rests on an officer independent of the Government and the Council, but on the Finance department. A change of this kind, however, inevitably entails many difficulties in the initial stages, and the burden falling on Mr. Blunt, the Deputy Secretaries and the Pay and Accounts Officers has been extremely heavy. I am deeply indebted to them for the skill and patience which they have shown in the handling of novel problems and for their arduous and ungrudging labours.

There is one other point to which I should refer before passing on to the figures, namely, the new form for which this budget has been prepared. The change is fully explained in the budget memorandum: all I need say here is that I hope that members will find the new form more intelligible than the old.

I will first refer to the figures of 1925-26 and their effect on the present financial situation. As the Council are aware, there is generally some difference between a revised estimate and the actual expenditure as finally reported. As a rule this difference is small, but on this occasion partly because the revised was more inaccurate than usual, partly because of unexpected expenditure which was brought into the accounts at the close of the year, the total loss shown in the closing balance is nearly 26½ lakhs. This was due mainly to a loss of revenue amounting to no less than 33 lakhs principally under Land revenue, Excise, Irrigation, Receipts on account of superannuation, and Recoveries of *taqavi* and other loans. Of these losses, those under Land revenue and Recoveries of loans, amounting in all to nearly 13 lakhs, merely represent postponed payments and have to a large extent been made good in the current year. The losses under Excise of 8½ lakhs and under Irrigation of nearly 7 lakhs were both the result of undue optimism in the revised. There remains a decrease of 3 lakhs under receipts on account of superannuation. This fell under the head Receipts on account of commuted value of pensions. When the pensioners of other Governments settle down after retirement in these provinces we take over the pension payments and receive in lieu from the other Governments the capital value. In previous years the figures had been high and the revised was based on those actuals. For some reason, presumably because the United Provinces have attracted fewer pensioners from other provinces than usual, the figure fell in 1925-26, as it has again fallen in the current year.

The unexpected expenditure arose in this way. On advances taken from the Government of India we formerly paid interest, with six monthly rests, on April 1 and October 1. But recently the Government of India have laid down that all interest accounts must be made up as at March 31. The result of this change has been to throw the province six months in arrears with its interest on advances taken since 1923-24, and these arrears have had to be made good. This was done partly in 1925-26, partly in 1926-27. The additional sum that was adjusted in 1925-26 amounted to 5½ lakhs. In spite of this, however, there was an actual saving in expenditure in 1925-26 of 6½ lakhs. The opening balance of 1926-27 thus became 52½ lakhs instead of 79½ lakhs round.

The budget of 1926-27 as originally presented to Council provided for revenue amounting to 1,290 lakhs (round), and for receipts under debt heads amounting to 206 lakhs (round), making with the opening balance as then estimated total receipts amounting to 1,575 lakhs. On the expenditure side there was provision for expenditure amounting to 1,288 lakhs under revenue heads and 256 lakhs under debt heads, leaving a closing balance of nearly 31 lakhs. The budget as passed, however, differed substantially from the budget as presented. There were certain changes on the receipt side which reduced the figure by approximately 2 lakhs. On the expenditure side the Council refused to vote demands to the extent of 3½ lakhs exclusive of a sum of 8 lakhs subsequently restored by His Excellency the Governor, whilst the Government of India further reduced the contribution by 33 lakhs. The net result of these various changes was to increase the closing balance from the estimated figure of 31 lakhs to 65½ lakhs. Of this a sum of 14 lakhs belonged to the Famine Insurance Fund and the Government Press Depreciation Fund, and the balance of 51½ lakhs was available for general purposes.

[The Hon'ble Sir Sam O'Donnell.]

I now proceed to compare the budget and revised figures of 1926-27. The revised shows an increase of revenue of  $32\frac{1}{2}$  lakhs. Of this, however, a sum of  $29\frac{1}{2}$  lakhs is the result of a transfer of the discount on the United Provinces Development loan from revenue to capital, and is unreal, being counterbalanced by a similar debit on the expenditure side. Receipts under debt heads have risen by  $2\frac{1}{2}$  lakhs and the total true increase in the receipts of the year is thus  $5\frac{1}{2}$  lakhs. Against this we have to put, however, the decrease in the opening balance of nearly  $26\frac{3}{4}$  lakhs and the net loss over the gross anticipated receipts of the year is therefore  $21\frac{1}{4}$  lakhs.

On the expenditure side the total charges against revenue have risen by  $23\frac{1}{4}$  lakhs, and under debt heads by  $34\frac{3}{4}$  lakhs. Of the latter sum, however,  $29\frac{1}{2}$  lakhs, as already explained, represents an unreal increase, being cancelled by an entry on the revenue side; so that the true increase is only  $5\frac{1}{2}$  lakhs. The total additional disbursements during the year thus become  $28\frac{1}{2}$  lakhs.

On the receipt side the principal increases or decreases are as follows :—

*Land revenue* shows an increase of nearly 6 lakhs. This merely counterbalances the decrease of the former year, and means that we hope to recover entirely the arrears of that year.

*Excise* shows a decrease of  $6\frac{3}{4}$  lakhs. The fall in excise revenue continues, and we must now accept the position that no recovery is likely.

*Stamps* shows a decrease of one lakh. This is due mainly to the uncertainty caused by recent rent and revenue legislation; apparently cases are at present being held back.

*Forest* shows a small decrease of not quite half a lakh which is more than counterbalanced by a similar decrease on the expenditure side.

*Subsidized companies* shows a decrease of Rs. 60,000. This revenue represents our share of the profits of the Shahdara-Saharanpur Light Railway. The decrease is due to reduced earnings.

*Irrigation* shows an increase of  $7\frac{1}{4}$  lakhs, a welcome return to normal figures.

*Interest* shows a decrease of  $2\frac{1}{2}$  lakhs, due to delayed payment on the part of certain of our debtors.

The civil administration heads (namely, Administration of justice, Jails, Police, Education, Medical, Public Health, Agriculture, Industries and Miscellaneous departments) show between them an increase of 3 lakhs.

*Civil works* shows a decrease of  $1\frac{1}{2}$  lakhs, due mainly to the fact that receipts on account of residential buildings are now credited to the administrative department concerned instead of to this head.

*Receipts in aid of superannuation* show a drop of  $2\frac{1}{2}$  lakhs under the head "Commutation of pensions."



*Stationery and printing* shows an increase of  $\frac{1}{2}$  lakh, and *Miscellaneous* an increase of  $1\frac{3}{4}$  lakhs.

Under debt head receipts recoveries in the Famine Insurance Fund show an increase of 3 lakhs, counterbalancing the loss of the previous year.

Recoveries of other advances show a decrease of Rs. 62,000 which is due to the same causes as the decrease under "Interest."

Under the expenditure side the principal increases are as follows:—

First, as a result of the change in dates already mentioned, our interest charges have risen by  $10\frac{1}{2}$  lakhs.

Secondly, under expenditure in England there is an increase of 4 lakhs due to two causes:—

- (1) The pensions of military officers in civil employ have been debitable to the province from the date of the reforms, but for some reason have always been actually charged to Army estimates. The Secretary of State has now corrected this error with retrospective effect, thus causing an increase of  $1\frac{1}{2}$  lakhs
- (2) Charges on account of the commutation of pensions have always been debitable to provincial revenues: and indeed provision has regularly been made in the estimates for such commutation. But for some reason the High Commissioner has hitherto debited these charges to the Government of India's account. He has now discovered and corrected his error. This accounts for an increase of over  $2\frac{1}{2}$  lakhs.

Other increases are due to supplementary grants voted in April and July, 1926. These account for 5 lakhs under Education,  $5\frac{1}{4}$  lakhs under Civil works, Rs. 75,000 under Land revenue, and for part of an increase under Police of  $1\frac{3}{4}$  lakhs. The only unexpected excesses over grants were under "Administration of justice," due mainly to additional law charges, under "Jails" due to additional dietary charges, and to a small extent under "Police." On the other hand, there have been savings under numerous heads, namely, Excise, Stamps, Forest, General administration, Medical, Public Health, Industries, Superannuation allowances and Stationery and printing. Of these some are due to economical management, some to over-budgeting.

Under the debt heads there is an increase of about 5 lakhs. This falls entirely under construction of irrigation works, and is due to a supplementary estimate of 20 lakhs granted in January last. Elsewhere there are counteracting savings.

The results of this analysis can be summed up as follows:—

- (1) The opening balance of 1926-27 is  $26\frac{3}{4}$  lakhs less than was anticipated when the budget for 1926-27 was prepared;
- (2) the receipts during 1926-27 are better by  $5\frac{1}{2}$  lakhs than the estimate;
- (3) the disbursements during 1926-27 are  $28\frac{1}{2}$  lakhs more than the estimates;

and in consequence the closing balance of 1926-27 originally estimated at  $65\frac{1}{2}$  lakhs has been reduced to just over  $15\frac{1}{4}$  lakhs.

[The Hon'ble Sir Sam O'Donnell.]

This is undoubtedly a very disappointing result. It has beendue—

- (1) in part to an unexpected loss of revenue ;
- (2) in part to expenditure which could not have been foreseen ;
- (3) in part to the supplementary estimates presented during the course of this year. Some of these estimates, such as those under Administration of justice and jails, were unavoidable. For reasons that could not be foreseen, the budget provision was found to be insufficient. The supplementary estimates presented earlier in the year were not in this category, and had the figures now available been before us at the time, we should have had to omit them. They were, however, mostly in the transferred departments and for projects the need for which is not in dispute.

I now pass to the estimates for the budget year. I propose in the first place to deal with expenditure, comparing the budget figures of the coming year with the revised of the current year. For charges debitable to revenue the revised figure for 1926-27 is 1,275 lakhs. The budget estimate for 1927-28 is 1,294½ lakhs, but to these figures must be added irrigation expenditure, which is shown as a deduction from revenue. The figures then become 1,330 lakhs and 1,354½ lakhs respectively. There is thus an increase of 24½ lakhs, which is accounted for almost entirely by an increase of 23½ lakhs in the provision for reduction or avoidance of debt. According to the terms of the prospectus of the United Provinces Development Loan, the annual appropriation to the sinking fund during the first five years of the currency of the loan was fixed at 3 lakhs. But thereafter it was to become one-fifteenth of the amount remaining uncovered by the sinking fund. The period of five years is now at an end and this charge therefore shows a large increase. On the other hand, the sums appropriated to the sinking fund are regularly invested and the interest on the investments is added to the fund and also invested. The result is that the appropriation in the budget year is less than it would otherwise have been, and in subsequent years will annually decrease. I may mention that whilst the sum actually placed so far in the sinking fund was 16½ lakhs, the value of our investments is now nearly 20 lakhs.

Other considerable increases are under Land revenue 1½ lakhs, due to the continuance of settlement operations throughout the year : Irrigation working expenses 5½ lakhs, due mainly to works required to repair recent or prevent future damage from flood : Interest on ordinary debt 3½ lakhs, a charge that must necessarily grow so long as our various capital schemes are in progress : Police 1½ lakhs : in recent years the Police budget has been pruned to an impossible extent and the additional charges now included are unavoidable : Co-operative credit 1½ lakhs, as a result of the Oakden Committee's recommendations : Medical 2 lakhs : this is partly unreal, being due to the fact that certain recoveries formerly taken in reduction of expenditure have now been transferred to the receipt side : Public Health 3½ lakhs, an increase partly due to a similar cause, but also to considerable additional expenditure : Industries 1 lakh, due to general expansion : and Super-

annuation allowances,  $1\frac{1}{2}$  lakhs, which is, of course, a head that for the time being must necessarily grow yearly.

On the other hand, there are certain decreases in expenditure based on requirements or due to the absence so far of any new expenditure in the budget. Under General administration ( $\frac{1}{2}$  lakh), Administration of justice ( $1\frac{1}{2}$  lakhs), Stationery and printing ( $1\frac{1}{2}$  lakhs), Secretary of State (1 lakh), High Commissioner ( $2\frac{1}{2}$  lakhs), Civil works (3 lakhs) and Education (8 lakhs). The provision under Education is still, however, 38 lakhs higher than in 1922-23 and 31 lakhs more than the average for 1921-22 and 1922-23. Under the debt heads there is a decrease of 28 lakhs, of which the greater part falls under construction of irrigation works ( $21\frac{1}{2}$  lakhs). There are increases of 3 lakhs under Famine Insurance Fund;  $24\frac{1}{2}$  lakhs under Sinking fund investment account, representing the increased provision *plus* interest on the investments; and  $1\frac{1}{2}$  lakhs under Civil works based on requirements. Elsewhere there are decreases.

I now turn to the estimates of revenue and receipts of the budget year. Before comparing with the revised, however, we must exclude the unreal receipt of  $29\frac{1}{2}$  lakhs in the revised on account of the transfer of the discount of the United Provinces loan from revenue to capital, and an increase of 2 lakhs in the budget year under the head "Transfer from the Famine Insurance Fund," which merely represents the draft on the fund over the annual assignment of 39,600. The budget estimate is then 3 lakhs lower than the revised. Increases are expected under Excise of  $1\frac{1}{2}$  lakhs as a result of the extension of the tree tax system for toddy; under Stamps of  $4\frac{1}{2}$  lakhs, which merely represents a return to the normal; and under Forest of 1 lakh due to expansion. The civil administration heads are estimated to yield between them an additional 2 lakhs, but much of this is unreal, being due to the transfer of receipts which were formerly taken in reduction of expenditure. On the other hand, decreases are expected under Land revenue of  $6\frac{1}{2}$  lakhs, due to the fact that arrears carried over from the current year are likely to be small; and under Irrigation of  $1\frac{1}{2}$  lakhs which represents a return to the normal from the high figure of the previous year.

Under Receipts the recoveries expected or the advances required to finance our various capital operations are as follows:—

- (1) Recoveries in Famine Insurance Fund are estimated at 18 lakhs.  
This represents repayment of *tagavi*, and also interest on the balance of the fund.
- (2) Recoveries of advances made by the Provincial Government,  $13\frac{1}{2}$  lakhs.
- (3) Appropriation for sinking fund,  $28\frac{1}{2}$  lakhs
- (4) Borrowings of 161 lakhs from the new Provincial loans fund on account of—
  - (a) Sarda construction,  $106\frac{1}{2}$  lakhs;
  - (b) loans to local bodies, a little over  $12\frac{1}{2}$  lakhs;
  - (c) reconstruction of roads, 25 lakhs;
  - (d) police buildings, 11 lakhs;
  - (e) other buildings,  $5\frac{1}{2}$  lakhs.

[The Hon'ble Sir Sam O'Donnell.]

On this basis revenue and receipts inclusive of the opening balance amount to 1,528 lakhs, whilst disbursements amount to 1,557 lakhs. There is thus a deficit, after allowing for a balance of 13 lakhs in the Famine Insurance Fund, of 39 lakhs, to which, if this deficit has to be covered by borrowing, a further sum of 3 lakhs on account of debt charges must be added.

During the last two years we have had substantial remissions of our contribution which, though shown as a deduction from expenditure, in effect increase the resources at our disposal, and the Council will naturally, in view of the figures which I have just given, wish to know how these additional resources have been utilized. The remissions amounted during the years 1925-26 to 1927-28 inclusive to 234½ lakhs. Against this, however, has to be set a reduction during the same period of 31½ lakhs in our receipts, which was due to the fact that the recoveries on account of the old provincial loan account were less by this sum than in 1924-25, so that the total addition to our resources in the revenue account was a little over 203 lakhs. During the same period our expenditure increased—

- (1) by 101½ lakhs on the transferred departments.
- (2) by 60½ lakhs on the reserved departments, and
- (3) by 44½ lakhs on debt charges.

I need not give the details of the extra expenditure on the transferred side.

That on the reserved side included—

- (1) 3 lakhs for election charges,
- (2) 9 lakhs for pensionary charges,
- (3) 15 lakhs for record operations and settlements,
- (4) 15 lakhs for revision of salaries based on the report of the Lee Commission,
- (5) 6½ lakhs on the special dacoity force,
- (6) 11½ lakhs due to various causes, such as increase in the jail population, a larger number of temporary courts, an unusual number of expensive criminal cases, and also to natural growth, e.g., increments.

Of these items, the first is only technically reserved, and about 3 lakhs of the second is on account of transferred departments. Allowing for this, the latter have absorbed just under two-thirds of the increased expenditure on the revenue account.

Our debt charges are now nearly one-eighth of our total expenditure, and have not quite reached their maximum. They deserve therefore more than a passing reference, and I think it will be as well if I explain the position in some detail.

At the reforms Government took over two large debts :—

First, the old Provincial loan account which amounted to 296½ lakhs, and

Second, the pre-reform Irrigation debt of 1,219½ lakhs.

The old Provincial loan account comprised all the loans made by the pre-reform Government either to agriculturists as *tagavi*, or to local

bodies and others. Under the Devolution Rules we have to repay the old Provincial loan account in twelve years. In the first year we paid 25½ lakhs, and since then we have annually paid 25 lakhs. The repayment will be completed in 1932-33 with a final repayment of 21,13. We pay interest on this account at 4·3 per cent. so that the interest due decreases annually by 1 lakh round. The amount due on April 1, 1928 will be 1,21,13. The interest payable in the current year is 5½ lakhs.

The pre-reform irrigation debt represents the capital cost of all the canal systems in the provinces. Of the total sum of 1,219½ lakhs approximately 250 lakhs is on account of the unproductive canal systems, mainly in Bundelkhand, and the rest on account of the canal works classed as productive.

This debt is of the type usually described as permanent, that is to say, it is repayable entirely at the option of the borrower. Certain of our critics have suggested that Government should form a sinking fund for this debt. I agree that it is a good thing to repay debt as soon as you can conveniently and profitably do so. But I cannot admit that a sinking fund is essential in the case of a debt of this kind. The canals are not a wasting asset. The canal budget contains provision for all repairs and replacements required; and about four-fifths of the debt is of course productive and yields a profit which a great deal more than covers the loss on the unproductive portion. Further, it would not only be inconvenient at the moment to add to our debt charges; it would also be unprofitable since, except for a small sum of 52 lakhs the rate of interest is only 3·3 per cent. We cannot borrow money at that rate, and any repayments of debt should clearly be devoted first to the amortisation of loans carrying a higher interest.

The next debt which the province contracted was the United Provinces Development loan. This was raised in the open market in 1921-22. The total amount is 420 lakhs, and the rate of interest is 6 per cent. income-tax free. The loan is of the type known as "limited option." There are two options. First from the fifth year, i.e., from November, 1926, bond-holders have the option of demanding repayment at par up to the amount at the time included in the sinking fund, minus a reserve of 5 lakhs which is kept as a depreciation fund. On the other hand, from November, 1931, Government have the option of repaying the entire loan at par. Accordingly, during the current year we offered to repay a sum of 15 lakhs; but as the loan has been at a premium from the very first and in November, 1926 was standing at 108 we expected no response to the offer, since any bond-holder could have got 8 per cent. more by sale in the open market than by accepting repayment from us. Nevertheless, holders of bonds to the value of Rs. 30,600 did apply for repayment,—a fact which one can only attribute to their ignorance of the mysteries of the stock exchange. And it is this fact which explains the entries under "Miscellaneous Government accounts" amongst the debt heads on the receipt side and under "Deposits and advances—Sinking fund" on the expenditure side. On the other hand, as money can even now be borrowed at a rate much below the 6 per cent. which this loan carries, and the rate is likely to fall lower still, it is obvious that when the time comes in 1931 for Government to exercise their option, they should certainly do so. Meantime Government are

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steadily adding to the sinking fund. In the first five years the amount credited was  $16\frac{1}{2}$  lakhs at the rate of three lakhs per annum, plus a windfall of one and half lakhs. This sum has been invested; the interest accruing from time to time on these investments has also been added to the fund and invested. The result is that the sinking fund is not limited to the sums actually placed therein, but grows steadily: at the present moment it is worth nearly 20 lakhs. As I have already explained, the provision to be made in the sinking fund from 1927-28 onwards is one-fifteenth of the amount still uncovered by the sinking fund; in consequence of this process of investment that provision will decrease annually. I calculate that the debt charges (principal and interest together) on this loan which are  $54\frac{1}{2}$  lakhs in 1927-28, will have sunk by 1931-32, when final repayment is possible, to 42 lakhs. We should of course then have to borrow to make that final repayment, and it is impossible to say what the terms of that loan will be: but assuming that its currency is 20 years and that it bears a rate of interest of 4 per cent., the total debt charges on account of it should not exceed  $28\frac{1}{2}$  lakhs.

Lastly, there are our post-reform borrowings from the Provincial loans fund. I may explain at the outset that all this debt is being repaid by the method of equated instalments. Under this system the total annual debt charge (interest plus principal) remains the same throughout the currency of the loan; but the amount credited to principal gradually increases whilst the amount credited to interest gradually decreases. In the remarks that I am now about to make I shall refer only to equated instalments, and not principal, and interest separately.

Our post-reform borrowings began in the year 1923-24 and fall into several classes according to their object.

The first class consists of the advances taken to finance the Sarda canal works. The total amount thus borrowed up to the year 1927-28 inclusive is 531 lakhs round. These advances being classed as productive are repayable in 80 years, but bear various rates of interest ranging from 6 per cent. in the year 1923-24 to 5 per cent. in 1926-27. Next year the rate is likely to fall lower still. The programme has another three years to run and the further expenditure required is estimated at 230 lakhs. The total debt charge payable in 1927-28 is just over 27 lakhs, and will rise to a maximum of  $40\frac{1}{2}$  lakhs, in 1931-32, at which figure it will subsequently remain constant till the various advances are completely repaid.

The other advances comprise—

- (i) the loan taken for road reconstruction. We have borrowed up to 1927-28 inclusive  $92\frac{1}{2}$  lakhs on this account, and shall require another 73 lakhs spread over three years to complete the programme, making a total of  $165\frac{1}{2}$  lakhs. This loan being classed as unproductive is repayable in 50 years.
- (ii) advances taken for the reconstruction of police buildings. We have borrowed up to 1927-28 inclusive 49 lakhs round for this scheme, and in the next four years we shall require another 52 lakhs, making in all 101 lakhs. This loan also is repayable in 50 years:

(iii) advances taken for the purpose of making loans to local bodies and improvement trusts. Up to 1927-28 inclusive we have taken on this account 47 lakhs, and shall require another 39 lakhs in the next three years. Thereafter such borrowings will be unnecessary, as we shall be relieved of the charge of 25 lakhs on account of the old Provincial loan account. The total figure therefore amounts to 86 lakhs. These loans are regarded as productive and consequently are repayable in a maximum period of 80 years :

(iv) certain miscellaneous advances, namely,—

(a) a sum of under six lakhs borrowed in 1926-27 partly for the Council Chamber, partly for the Agricultural College extension. For these two buildings we shall require another  $5\frac{3}{4}$  lakhs in the budget year and a sum of four lakhs in 1928-29. The total sum under this head is  $15\frac{1}{2}$  lakhs, repayable in 50 years :

(b) a sum of  $48\frac{3}{4}$  lakhs borrowed in 1924-25 and 1925-26 to enable us to repair damages caused to the canals and roads by the floods. These loans are repayable in 50 years.

The total debt charge on these various borrowings amounts to  $12\frac{1}{2}$  lakhs in 1927-28, and will rise to a maximum of 25 lakhs in 1931-32, at which figure it will remain constant till the advances are repaid, some in 50 and some in 80 years.

I can now summarize the position. The province took over with the reforms a total debt of 1,516 lakhs. Up to the year 1927-28 inclusive it has incurred further debt to the extent of 1,200 lakhs, making a total of 2,716 lakhs. Of this we have repaid  $175\frac{1}{2}$  lakhs in the old Provincial loan account and about  $1\frac{1}{4}$  lakhs under the equated instalment system on account of post-reform advances; we have also provided or acquired by investment a sum of  $46\frac{3}{4}$  lakhs in the United Provinces loan's sinking fund; so that our total uncovered debt will stand on March 31, 1928, at 2,492 lakhs. During the next few years we expect to borrow a further sum of 398 lakhs.

Our total charges on these debts in 1927-28 are  $165\frac{1}{2}$  lakhs. In 1928-29 they rise to  $171\frac{1}{4}$  lakhs, in 1929-30 to  $175\frac{1}{2}$  lakhs, and in 1930-31 to a maximum of  $176\frac{3}{4}$  lakhs. Thereafter they begin to drop; in 1931-32 to  $174\frac{3}{4}$  lakhs; in 1932-33 to  $156\frac{1}{2}$  lakhs and in 1933-34 to  $135\frac{1}{2}$  lakhs,—a figure lower than the amount actually paid in 1926-27. Thereafter they will decrease as the various debts are completely repaid. There are sinking funds of one kind or another for the entire debt, with the exception of the pre-reform irrigation debt; and for that it may be possible to arrange amortisation in the course of a few years.

Further, the Sarda canal will be earning revenue from 1930 onwards. The amount will vary for some time; but by 1935, or at the latest by 1941, the receipts will suffice to cover not only the working expenses, but also the interest charges. This will reduce the real burden of our debt charges by over 40 lakhs. Allowing for this reduction our debt charges in 1941 will have fallen to 95 lakhs; and assuming that the conversion loan to be issued in 1931 has a currency of 20 years, by 1951 they have fallen to  $66\frac{1}{2}$  lakhs. Our debt will then consist of the pre-

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irrigation debt, and about 417 lakhs of our later borrowings, minus so much as may then have been repaid under the equated instalment system.

As I have been in charge of the provincial finances during the last four years, it will not perhaps be out of place if I add to this analysis a brief statement of the changes in our debt position that have taken place during this period. The total amount borrowed since 1922 amounts to nearly 780 lakhs. Of this total—

- (1) the Sarda canal works account for 531 lakhs ;
- (2) 47 lakhs were borrowed for local bodies, and are thus not really provincial debt at all, since it is the local bodies who repay ;
- (3) 48½ lakhs were borrowed to repair the damages caused to irrigation works and roads by the floods of 1924 ; and
- (4) 153 lakhs were borrowed for the road and police reconstruction schemes and a few miscellaneous projects.

In the same period we have amortised debt to the extent of 166½ lakhs, and the net addition to our unproductive debt is thus 35 lakhs. It will be seen too that apart from the sums borrowed for irrigation purposes and flood damages, 142 lakhs have been spent on transferred and 58 lakhs on reserved subjects ; and that of the further loans required in the next five years, 112 lakhs will be for transferred and 56 lakhs for reserved departments.

I hope that this statement will make clear to the Council what our debt position is. In my judgement it is quite satisfactory and gives no ground whatever for anxiety.

To return to the estimates for the coming year—the budget figures, as I have explained, show a deficit of 39 lakhs, and if no remission of our contribution were to be made we should have to borrow a sum sufficient to cover that deficit, and to provide a closing balance. As the Council are aware, however, the Government of India propose to make a recurring remission of 99 lakhs, and a non-recurring remission of 52 lakhs, and if these remissions are made it will not only be unnecessary to borrow, but we shall be able to present in April supplementary estimates aggregating 51½ lakhs, of which ten lakhs will be on account of the reserved departments and 41½ for the transferred departments. If too in the interval all goes well, it is not improbable that in October or November next we shall be able to present a further batch of supplementary estimates. But we do not think that at present we should be justified in adding more than 51 lakhs to the expenditure included in the budget. We cannot overlook the fact that part of the remission is non-recurring and our recent experience has emphasized the need for a substantial closing balance.

As this is the last budget statement which it falls to me to present, I will conclude with a few remarks by way of retrospect and of free from anxiety. During the last four years, the financial position was never free from anxiety. Though our difficulties were mitigated by successive remissions, for which we are grateful, of our contribution, we were compelled year by year to turn down many projects which



were not only desirable, but urgent. Such projects were not confined to the transferred departments. The needs of the reserved departments are mainly non-recurring, but they include a demand for 67 lakhs for the repair or replacement of revenue buildings, and similar demands from the High Court and Chief Court aggregating at least an other 30 lakhs. Nevertheless, the period has not been one of stagnation. Since 1923 the enrolment has risen in primary schools by about 20 per cent.; in vernacular middle schools from 45,000 to 55,000; in secondary English schools from 52,000 to 62,000; in intermediate and associated colleges from 2,100 to 3,400; whilst the number of post-intermediate students has increased from 2,200 to 3,300. There are now 98 technical institutions under the Industries department as against 37 in 1923, and the number of students is higher by nearly 83 per cent. In the Agricultural department notable progress has been made in the production and distribution of seed, the demonstration of processes, the construction of tube-wells, and the extension of private farms. A health scheme has been introduced in seventeen districts. The co-operative movement has received special attention of late, and a number of the measures recommended by the Oakden Committee will shortly be carried out. The more important sections of the provincial roads are being reconstructed on modern lines, and liberal grants have been made to local bodies for the improvement of sanitation and water-works.

On the reserved side, we have found money for the greater part of the Sarda canal: for a much-needed addition to the judicial staff: for a valuable dacoity force: and for the replacement of some at least of the dilapidated and insanitary buildings which have been the scandal of the Police department.

These are substantial achievements. How much yet remains to be done I recognize as clearly and as readily as anyone. But there is reason to hope that in the matter of finance we are at length turning the corner. The remission of our contribution for which the budget of the Central Government provides, will add very materially to our resources. Further, our revenues will before long steadily increase. There are seven settlements now in progress, and when these are completed, others will follow. Under the new rules, the enhancements will in every case be very moderate, but in the aggregate they will add substantially to our receipts. The Sarda canal will be earning revenue from 1930 onwards and, as I have already shown, will by 1935, or at latest by 1941 be yielding a return sufficient to cover not only the working expenses but the interest charges of 40 lakhs. Finally, our debt charges will in 1933-34 be 30 lakhs less than in the budget year. In the sphere of administration there can never be any finality. Our revenues, however, they may expand, will never be in excess of our needs. But, in the coming years they will, I believe, be more adequate to our requirements than they have been in the period that has elapsed since the reforms.

**The Hon'ble the President:** I have to announce the results of the elections.

**For the Board of Agriculture:** Thakur Sadho Singh, Khan Bahadur Hakim Mahbub Ali Khan and Rai Bahadur Babu Vikramajit Singh.

**For the Provincial Cattle-breeding Committee:** Khan Bahadur Saiyid Jafar Husain and Rai Bahadur Babu Abhai Prasad.

**For the Governing Body of the Agricultural College :** Raja Kushal Pal Singh and Rai Bahadur Babu Mohan Lal.

**For the Court of the Indian Institute of Science :—**Pandit Bhagwat Narayan Bhargava.

*The Council was then adjourned to Wednesday, March 9.*

## APPENDIX A.

(See page 5 supra.)

*Statement showing the number of suits pending in each district for commutation of rent and the number of holdings involved.*

District.					Commutation of rent suits.	
					Number of cases.	Number of holdings involved.
Saharanpur	..	..	..	..	3	15
Muzaffarnagar	..	..	..	..	52	130
Meerut	..	..	..	..	1	1
Bulandshahr	..	..	..	..	1	233
Total				..	57	429
Bareilly	..	..	..	..	1,661	12,661
Bijnor	..	..	..	..	1,154	3,880
Moradabad	..	..	..	..	385	2,157
Pilibhit	..	..	..	..	1,595	13,633
Total				..	4,795	32,331
Farrukhabad	..	..	..	..	1	1
Allahabad	..	..	..	..	2	2
Total				..	3	3
Benares	..	..	..	..	235	241
Ballia	..	..	..	..	1	1
Total				..	236	242
Azamgarh	..	..	..	..	8	12
Total				..	8	12
GRAND TOTAL				..	5,099	33,017

## APPENDIX B.

(See page 12 *supra*.)

*Statement referred to in the answer to starred question No. 43  
(a) and (b) for March 4, 1927.*

(a) Number of new licences issued for muzzle-loading guns :—

			1923.	1924.	1925.	1926.
Naini Tal	..	..	.. 137	141	187	141
Almora..	..	..	.. 182	156	132	192
Garhwal	..	..	.. 125	152	75	52
Total			.. 444	449	394	385

(b) (1) Number of licences for all classes of fire-arms discontinued:—

			1923.	1924.	1925.	1926.
Naini Tal	..	..	.. 197	220	126	168
Almora..	..	..	.. 63	68	59	82
Garhwal	..	..	.. 36	62	79	85
Total			.. 296	350	264	335

(b) (2) Number of applications for licences for all classes of fire-arms rejected :—

			1923.	1924.	1925.	1926.
Naini Tal	..	..	.. 128	144	210	256
Almora..	..	..	.. 136	152	106	96
Garhwal	..	..	.. 137	134	143	87
Total			.. 401	430	459	439

## APPENDIX C.

(See page 13 *supra*.)*Statement referred to in answer to starred question No. 44(b).*

## AREA DISFORESTED.

Paragraph of the Kumaun Forest Grievances Committee report under which action was taken.	Division.	Reserves.	Area in acres.	Year in which disforested.
24. (i) Isolated sal and kokat forest.	Garhwal ..	Jhundai ..	2,650	} 1921-26.
		Amdanda ..	760	
		Jakh ..	1,120	
		Sidhpur Bargaon ..	7,212	
		Mathali Painwal- gaon.	4,528	
	Total of the year.	5 reserves ..	10,200	
	Garhwal .. West Almora.. East Almora	87 reserves ..	36,114	} In previous years.
		5 " ..	1,030	
		1 reserve ..	325	
		Total ..	47,769	
		93 reserves ..	47,769	
24. (ii) Isolated oak forests.	Naini Tal .. Garhwal .. East Almora..	3 reserves ..	2,520	} In previous years.
		4 " ..	3,631	
		4 " ..	1,470	
		Total ..	7,621	
		11 reserves ..	7,621	
24. (iii) Isolated chir forests not work- able for resin or sleepers.	Garhwal .. West Almora East Almora..	43 reserves ..	18,985	} In previous years.
		12 " ..	3,145	
		8 " ..	1,960	
		Total ..	24,090	
		63 reserves ..	24,090	
24. (iv) Isolated chir forests where local demand is very intense.	West Almora	16 reserves ..	8,081	} In previous years.
		Total ..	8,081	
		16 reserves ..	8,081	
24. (v) Forests added to old reserves.	Naini Tal .. West Almora..	1 reserve ..	713	} In previous years.
		3 reserves ..	1,420	
		Total ..	2,133	
		4 reserves ..	2,133	
29. Revision of demar- cation.	Garhwal ..	Nandagini ..	18.5	} 1925-26.
		Deosari ..	5.2	
		Nagdeo ..	30	
		Pindarpar ..	69.5	
		Maral ..	6	
		Rudraprayag ..	13	
		Khundra ..	3	
		Uni ..	1.25	
		Dhanpur ..	2	
		Chanchhria ..	1.6	
	Total of the year.	10 reserves ..	150	

Paragraph of the Kumaun Forest Grievances Committee report under which action was taken.	Division.	Reserves.	Area in acres.	Year in which disforested.
30. Revision of forest lands acquired.	Garhwal ..	13 reserves ..	6,355	In previous years. } 1925-26.
	Total Garhwal to date.	23 reserves ..	6,505	
	West Almora..	Khankrakhet .. South Khabdoli ..	19 6	
	Total of the year.	2 reserves ..	25	
	West Almora..	5 reserves ..	202	In previous years.
	Total West Almora to date.	7 reserves ..	227	
	Naini Tal ..	19 reserves ..	2717·5	In previous years.
	East Almora..	1 reserve ..	1247·5	
	Total of all divisions.	50 reserves ..	9,574	
	Naini Tal ..	1 reserve ..	22	In previous years.
	Garhwal ..	1 ..	6	
	West Almora..	2 reserves ..	3	
	East Almora ..	1 reserve ..	30	
	Total of all divisions.	5 reserves ..	61	

*Statement referred to in answer to starred question No 49 (b).*

AREA PLACED IN CLASS I FORESTS.

Forest division.	Civil districts.		
	Naini Tal.	Garhwal.	Almora.
	Acres.	Acres.	Acres.
(1) Naini Tal division .. ..	56,466	..	..
(2) Garhwal division .. ..	..	894,193	..
(3) West Almora division .. ..	..	41,360	57,295
(4) East Almora division .. ..	118	..	176,412
Total, Kumaun circle ..	57,277	935,553	233,707

## APPENDIX D.

(See page 16 *supra*.)

Statement referred to in reply to starred Council question No. 57 for the meeting of March 4, 1927.

## I

Loans given by the Government for industrial purposes during the last two years.

Year.	Name of works.	Amount of loan.	Conditions of the loan.
		Rs.	
1924-25	1. Allahabad Law Journal Co., Ltd., Allahabad.	22,000	<i>Interest</i> :—Seven per cent. per annum. <i>Repayment</i> :—In three instalments, the first instalment to be paid after three years from the date of advance of loan.
Do. ..	2. Shri Maha Lakshmi Sugar Corporation, Ltd., Lucknow.	1,20,000	<i>Interest</i> :—Seven per cent. per annum. <i>Repayment</i> :—Four equal yearly instalments of Rs. 30,000 each plus interest.
Do. ..	3. Industrial societies through :— Central Co-operative Bank, Tanda.	5,000	<i>Interest</i> :—Seven per cent. The loan to be repayable in four annual instalments of Rs. 500 each and four of Rs. 750 each.
Do. ..	District Co-operative Bank, Bijnor.	5,000	<i>Interest</i> :—Seven per cent. To be repayable in 10 annual instalments of Rs. 500 each.
Do. ..	District Co-operative Bank, Bareilly.	4,000	<i>Interest</i> :—Seven per cent. Repayable in 10 half-yearly instalments of Rs. 400 each.
1925-26	Babu Bhagwat Prasad Srivastava of Basti district.	2,000 (For constructing a metal working model of an automatic spinning wheel invented by him.)	<i>Interest</i> :—Seven per cent. per annum. Penal rate nine per cent. in case of default in payment. (Free of interest for first year.) <i>Repayment</i> :—In five equal annual instalments, the first instalment to be paid at the end of the first year from the advancing of the money.
Do. ..	Indian Bobbin Co., Ltd., Cawnpore.	50,000	<i>Interest</i> :—Six and a half per cent. per annum. <i>Repayment</i> :—Four equal instalments with interest.
Do. ..	Pandit Radha Kishan Bhargava of Muttra.	5,000 (For starting a match factory.)	<i>Interest</i> :—Seven per cent. <i>Repayment</i> :—Five annual instalments of principal and interest in a period of six years, the first instalment to fall due at the end of the second year of the advance of the loan.
Do. ..	Industrial societies through :— District Co-operative Bank, Agra.	6,000	<i>Interest</i> :—Seven per cent. <i>Repayment</i> :—Ten annual instalments of Rs. 600 each.
Do. ..	District Co-operative Bank, Bijnor.	10,000	<i>Interest</i> :—Seven per cent. <i>Repayment</i> :—Ten annual instalments of Rs. 1,000 each.
Do. ..	United Provinces Arya Central Co-operative Bank, Ltd., Lucknow.	3,000	<i>Interest</i> :—Seven per cent. <i>Repayment</i> :—Six annual instalments of Rs. 500 each.

## · II

*Grants made by the Government for industrial purposes during the last two years.*

Year.	Name of factory or work, or individual.	Amount of grant.	Purpose and condition.
		Rs.	
1924-25	Muhammad Ahmad Khan of Rae Bareli.	200	To perfect a loom invented by him. The money to be paid through the Registrar, Co-operative Societies, on the execution of the necessary bond.
	Mr. T. R. Lewis of Cawnpore.	300	To construct an improved <i>ghani</i> . The money to be spent under the supervision of the Government oil expert.
	Mr. Hamid Ullah Khan Faizi, Secretary, Municipal Board of Kairana (Muzaffarnagar.)	500	For the purchase of accessories for manufacturing articles made of straw.
	Scientific Instrument Co., Ltd., Allahabad.	5,000	For the purchase of lathes.
	Pandit Raj Narain Misra, Cawnpore.	200	For completing his <i>dalchana</i> and <i>gokhru</i> machines.
1925-26	Mr. N. B. Mukherji, B.Sc., Cuttack.	1,100	For giving a damp-proof formula for the manufacture of matches.
	Messrs. Mehray & Sons, Allahabad.	5,000	For the purchase of machinery and dyes for the manufacture of jewellery.
	Mr. K. K. Tandon, Lucknow	1,000	To re-start his hosiery factory. The grantee to hold demonstrations for the benefit of the public.
	Mr. G. N. Misra of Agra ..	3,000	For putting up a plant for the manufacture of toilet and textile soaps. The money to be given after the plant had been erected and spent under the supervision of the Government oil expert.



## APPENDIX E.

*(See page 16 supra.)*

*Statement referred to in answer to starred question No. 61  
for March 4, 1927.*

Name of place.				Number of houses demolished or damaged.	Number of cattle lost.	Estimated loss.
						Rs.
Mau tahsil.	{	Man town	.. ..	400	..	65,000
		Ranipur town	.. ..	100	..	7,000
		Bhatpura	.. ..	128	..	9,700
		Rura	.. ..	72	..	4,500
		Deorighat	.. ..	25	..	1,500
		Patha	.. ..	9	..	300
		Ghat Lahchura	.. ..	6	..	250
		Dhakarwara	.. ..	16	..	600
		Mathu Pura	.. ..	30	..	1,500
		Khirka Muaf	.. ..	107	..	3,920
		Sitora	.. ..	18	..	360
Garotha tahsil.	{	Sonikpura	.. ..	46	..	700
		Bararu	.. ..	91	9	9,000
		Nandaura	.. ..	17	..	900

## APPENDIX F.

(See page 30 *supra*.)

## HONORARY ASSISTANT COLLECTORS.

Name.	Income-tax.	Revenue.	Age on April 1, 1926.	Period for which he has acted.
	Rs.	Rs.	Y. m.	Y. m.
(1) M. Sahabdad Khan .. ..	..	..	66 4	12 0
(2) C. Nathoo Ram Taga .. ..	220	1,872	57 5	2 0
(3) M. Murtaza Khan .. ..	..	500	32 0	0 5
(4) M. Jatan Sarup .. ..	..	80	27 0	0 2½
(5) Khan Bahadur Saiyid Rahm Husain..	..	600	62 4	8 0
(6) M. Muhammad Mustafa Khan ..	..	6,000	43 4	6 0
(7) Rai Bahadur Chatdhuri Raghuraj Singh	350	48,000	26 4	5 0
(8) Chaudhri Raghubir Singh ..	..	4,240	55 4	8 0
(9) Chaudhri Raghunath Singh ..	..	390	42 4	8 0

## APPENDIX G.

(See page 30 *supra*.)

## Honorary Magistrates.

Statement referred to in answer to starred question No. 98 for  
March 4, 1927.

Number.	Name.	Income-tax.	Land revenue.	Age on April 1, 1926.	Period for which he has acted.
		Rs. a.	Rs.	Years.	Y. m.
1	M. Hasan Ali Khan .. ..	..	3,000	57	6 0
2	Lala Shanti Lal .. ..	131 3	..	30	3 0
3	Lala Hoti Lal .. ..	..	1,800	38	3 0
4	Rai Bahadur Ganga Sagar .. ..	12,465 0	..	51	10 0
5	Khan Sahib M. Abdur Rahman Khan ..	..	7,762	57	4 0
6	Saiyid Jafar Ali .. ..	..	..	41	4 0
7	Thakur Karan Singh .. ..	..	7,500	59	4 0
8	Rai Sahib Lala Shiam Lal .. ..	1,800 0	7,000	28	1 0
9	Honorary Captain Malik Dad Khan ..	..	..	59	4 0
10	Thakur Raghuraj Singh .. ..	191 0	15,000	42	4 0
11	Subedar Gulab Singh .. ..	52 0	..	51	4 0
12	Lala Shiam Lal of Thora .. ..	..	2,800	45	1 0
13	Chaudhri Nathu Ram Taga of Jonchana	220 0	1,372	57	2 0
14	Nawab Muhammad Mukarram Ali Khan, Mumtaz-ud-daula ..	305 0	35,000	31	1 0
15	Sheikh Ahmad Husain Khan .. ..	..	1,800	42	0 2
16	M. Muhammad Khan .. ..	..	5,750	51	20 0
17	Babu Chuttan Lal .. ..	..	..	78	11 0
18	Muhammad Rahmat Khan .. ..	..	..	31	0 3
19	Khan Bahadur S. Raham Husain ..	..	600	62	6 0
20	M. Muhammad Husain .. ..	..	2,112	33	1 0
21	Rai Sahib Lala Rup Basant .. ..	65 0	..	42	1 0
22	Seth Prem Narain .. ..	72 0	2,000	41	6 0
23	Risaldar-Major Lal Singh .. ..	..	..	76	6 0
24	Rai Sahib Chaudhri Ram Dass Singh ..	..	3,696	50	6 0
25	Muhammad Umar Khan .. ..	..	460	50	4 0
26	Risaldar Shafi Ullah Khan .. ..	..	82	68	3 0
27	Chaudhri Faizyab Khan .. ..	..	324	60	8 0
28	Chaudhri Ram Singh Taga .. ..	77 0	1,922	..	4 0
29	Lala Bankey Lal .. ..	527 0	2,000	34	4 0
30	Lala Faqir Chand .. ..	172 0	3,000	37	0 2
31	Risaldar Suraj Mal .. ..	..	..	68	1 0
32	Risaldar Hargyan Singh .. ..	56 0	60	50	3 0
33	Kunwar Muhammad Ubaidulla Khan ..	..	16,379	54	15 0
34	Kunwar Muhammad Abdul Jalil Khan ..	..	47,126	34	1 0
35	Rai Bahadur Chaudhri Amar Singh ..	..	2,144	48	16 0
36	Khan Sahib Wilayat Husain .. ..	..	192	63	3 0
37	Risaldar-Major Muhammad Yusuf Khan .. ..	..	..	47	3 0
38	Khan Sahib Pirji Muhib Ali .. ..	..	1,659	50	3 0
39	M. Shah Muhammad Khan .. ..	..	2,464	56	4 0
40	Mr. A. S. Pereira .. ..	..	..	58	0 3
41	Rai Sahib Babu Joti Sarup .. ..	..	5,467	40	8 0
42	Babu Ram Kishan .. ..	..	5,297	33	3 0
43	M. Man Mohan Lal .. ..	..	1,751	54	8 0
44	Rai Sahib Chaudhri Narpat Singh ..	470 0	1,110	47	10 0
45	Mubammad Ashkari .. ..	..	932	40	8 0
46	Chaudhri Raghuraj Singh .. ..	..	67,157	27	1 0

## APPENDIX H.

*(See page 32 supra.)*

*Statement showing the number of Hindu and Muhammadan students admitted to the Medical school, Agra, since 1921.*

(Referred to in answer to unstarred questions Nos. 3 and 4 for March 4, 1927.)

Year.			Hindus.	Muhammadans.
1921	..	..	49	18
1922	..	..	54	17
1923	..	..	52	22
1924	..	..	60	13
1925	..	..	57	17
1926	..	..	59	15

## APPENDIX I.

*(See page 33 supra.)**Statement.*

	1924-25.	1925-26.
	Rs.	Rs.
(1) Someswar range (Almora district) ..	71	533
(2) Maharpali block .. ..	9	23
(3) Reserve forests near Bageswar (Almora district) .. ..	37	84



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Wednesday, March 9, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a. m.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT :

(88)

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad  
Ahmad Sa'id Khan  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. B. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. A. C. Desanges.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Bahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sabai Bedar.  
Chandhri Mangat Singh.  
Chandhri Vijai Pal Singh.  
Thakur Manak Singh.  
Thakur Hukam Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Chandhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Thakur Har Prasad Singh.

Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadatan Pande.  
Raja Sri Krishn. Dutt Dube.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Raja Raghuraj Singh.  
Kanwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Haji Abdul Qayum.  
Sayyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamsheer Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus  
Sami Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyyid Habib-ullah.  
Khan Bahadur Mr. Muhammad Ismail.  
Shaikh Jhulam Husain.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Munammad Habib-ullah.  
Raja Saiyyid Ahmad Ali Khan Alvi.  
Chandhri Niamat-ullah.  
Mr. Mukammad Habib.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Amb. Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrtra.  
Raja Jagannath Baksh Singh.  
Mr. E. M. Souter.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## MEMBER SWORN.

Mirza Muhammad Sajjad Ali Khan.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## RECOMMENDATIONS OF THE OAKDEN COMMITTEE.

\*1. **Rai Bahadur Lala Mathura Prasad Mehrotra** : Will the Government be pleased to give a list of the recommendations of the Oakden Committee of 1925 which have already been given effect to in 1926 and which are proposed to be carried out in 1927 ?

**The Hon'ble Thakur Rajendra Singh** : Orders have been issued to carry out the following recommendations :—

1, 2, 3, 4, 7, 8, 9, 10, 11, 12, 14, 17, 19, 23, 27, 28, 30, 31, 33, 34, 35, 44, 47, 48, 55, 60 (partially), 62, 67, 70, 72, 74, 75, 80 and 82.

Government propose to carry out the following recommendations so far as circumstances permit and provided that where extra funds are required they are voted by the Legislative Council :—

16, 18, 20, 21, 22, 24, 25, 26, 29, 36, 37, 39, 41, 42, 43, 49, 50, 51, 57, 59, 64, 65, 66, 68, 69, 71, 73, 76, 78, 79 and 81.

## TRAINING CLASSES OF SUPERVISORS.

\*2. **Rai Bahadur Lala Mathura Prasad Mehrotra** : Will the Government be pleased to give reasons for which the training classes of supervisors have not been started this year in spite of their great demand in central societies ?

**The Hon'ble Thakur Rajendra Singh** : The training classes have been started.

SANSKRIT *shilokas* BY SHASHTRI PANDIT DHAN RAJ OF BASTI.

\*3. **Babu Bhagwati Sahai Bedar** : Has the attention of the Government been drawn towards the blind Shashtri Pandit Dhan Raj of Basti, who remembers not less than forty-seven lakhs of Sanskrit *shilokas* of about one hundred and twenty-five useful and valuable Sanskrit books on medicine, literature, drama, etc., not to be found in manuscript or press these days ?

If so, do Government intend to take early steps to bring this treasury of literature on record ?

**The Hon'ble Rai Rajeshwar Bali** : (1) Government have seen a statement to this effect.

(2) Government are advised by very competent authority that the claim made on behalf of the Pandit is untenable. If any university in this province, however, is satisfied after careful investigation that there is some substance in the statements which have appeared in regard to the Pandit and subsequently approaches Government in regard to this matter, Government will be prepared to examine it further.

**Pandit Iqbal Narayan Gurtu** : Am I to understand that the universities are expected to undertake financial responsibility on that account before Government entertain their opinion ?

**The Hon'ble Rai Rajeshwar Bali** : Preliminary investigation does not require large expenditure of money.



**Pandit Iqbal Narayan Gurtu :** The universities are expected to confine their inquiry to his capacity ?

**The Hon'ble Rai Rajeshwar Bali :** Yes, whether the information received from him would be of any value.

**Mr. C. Y. Chintamani :** Will Government be pleased to state who is that "very competent" authority upon whose opinion they rely ?

**The Hon'ble Rai Rajeshwar Bali :** We have inquired from Dr. Gangauath Jha.

**Mr. C. Y. Chintamani :** Will Government be pleased to depute some competent individual to investigate on the spot whether the claim is tenable in whole or in part ?

**The Hon'ble Rai Rajeshwar Bali :** I have already said that I am advised by Pandit Gangauath Jha who is a great authority on Sanskrit, and he says that the claim is untenable.

**Mr. C. Y. Chintamani :** Has he based his opinion merely upon hearsay or has he ascertained personally whether it is so ?

**The Hon'ble Rai Rajeshwar Bali :** I am informed that he has ascertained.

**Pandit Iqbal Narayan Gurtu :** Will Government consider the advisability of referring the matter to a small sub-committee consisting of the Principal of the Sanskrit College, Benares, and the Professors of Sanskrit in the two universities ?

**The Hon'ble Rai Rajeshwar Bali :** We will consider that.

**Pandit Badri Dutt Pande :** Will Government be pleased to place him in the Museum to see . . .

**The Hon'ble the President :** Order, order.

#### NOMINATION OF MR. BRIJ LAL BADHWAR AS A MEMBER OF UJHANI MUNICIPALITY.

**\*4. Chaudhri Badan Singh :** Is the Government aware that Rai Bahadur Mr. Brij Lal Badhwar has been appointed nominated member to represent the depressed classes in the Ujhani municipal board, district Budaun ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Pandit Bhagwat Narayan Bhargava :** May I know whether Mr. Badhwar belongs to the depressed classes ?

**The Hon'ble Nawab Muhammad Yusuf :** He is interested in the depressed classes.

**Pandit Bhagwat Narayan Bhargava :** What material has Government got to say that he could represent the interests of the depressed classes ?

**The Hon'ble Nawab Muhammad Yusuf :** The report of the District Magistrate.

**Babu Bhagwati Sahai Bedar :** Is Mr. Badhwar more interested in the Achhutudhar community than an Achhutudhar himself ?

**The Hon'ble the President :** It is a matter of opinion.

**Pandit Bhagwat Narayan Bhargava :** Did the Government take any action on the representations sent by the local Achhutuddhar Sabha and the local depressed classes ?

**The Hon'ble Nawab Muhammad Yusuf :** They were received too late.

**Mr. C. Y. Chintamani :** Did the Government take any steps to ascertain whether a member of the depressed classes would be available for nomination or not ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Mr. C. Y. Chintamani :** What steps ?

**The Hon'ble Nawab Muhammad Yusuf :** We have inquired from the district magistrate whether any suitable member was available.

**Mr. C. Y. Chintamani :** Is the district magistrate the last word on the subject ?

**The Hon'ble Nawab Muhammad Yusuf :** Well, he is the man on the spot and we think he is best fitted to guide us in the matter.

**Pandit Bhagwat Narayan Bhargava :** Did the Hon'ble Minister make any inquiry from the local M. L. C. when he did not get a suitable candidate from the community ?

**The Hon'ble Nawab Muhammad Yusuf :** No.

**Pandit Iqbal Narayan Gurtu :** Am I to understand from the reply of the Hon'ble Minister that he will refer the matter now to the district officer.

**The Hon'ble Nawab Muhammad Yusuf :** It is too late. The matter is closed.

**\*5. Chaudhri Badan Singh :** Is it a fact that the Achhutuddhar Sabha, Ujhani, and the local M. L. C. sent many representations to the Minister of Local Self-Government about the appointment of a nominated member to be taken from the depressed classes ?

**The Hon'ble Nawab Muhammad Yusuf :** A representation was received from Achhutuddhar Sabha, Ujhani, but none from the local M. L. C.

**\*6. Chaudhri Badan Singh :** Has the Secretary, Local Self-Government, received very recently a representation bearing the thumb-impressions of the depressed class people protesting against this appointment of the Local Government ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**\*7. Chaudhri Badan Singh :** Is the Government aware that last year it was resolved in the local Council that a depressed class member be appointed to local bodies to represent the depressed class interests ?

**The Hon'ble Nawab Muhammad Yusuf :** The answer is in the affirmative so far as municipalities are concerned.

#### CIRCULAR ASKING MEDICAL OFFICERS TO CALL ON SANITARY COMMISSIONER.

**\*8. Pandit Govind Ballabh Pant :** Was any circular recently issued by the Inspector General of Civil Hospitals asking medical officers to call on the Sanitary Commissioner whenever the latter passed through

or visited their circle? Will the Government be pleased to lay a copy thereof on the table? Does the circular apply to civil surgeons also, and is it incumbent on them too to pay such calls? Will it be a part of the prescribed duty of the medical officers and will they get travelling allowance if they have to travel for this purpose? Will it be open to them to absent themselves from the dispensaries during working hours in order to call on the Sanitary Commissioner?

**The Hon'ble Rai Rajeshwar Bali:** A copy of the circular issued by the Inspector-General of Civil Hospitals and of the parallel circular issued by the Director of Public Health is laid on the table and will show the object with which these circulars were issued. It is not expected that officers should travel any distance in order to meet either the Director of Public Health or the Inspector-General and no question of travelling allowance arises.

(See Appendix A, page 125.)

**Pandit Bhagwat Narayan Bhargava:** Did the Government fix any limit about distance?

**The Hon'ble Rai Rajeshwar Bali:** We issued only general instructions and there is no limit of distance; nor was there any necessity for this.

**Pandit Badri Dutt Pande:** Are assistant surgeons also to go and see the Sanitary Commissioner?

**The Hon'ble Rai Rajeshwar Bali:** Our idea was, as I understood, that there should be closer touch between the officers of the Public Health department and the officers of the Medical department.

**Pandit Badri Dutt Pande:** Do these officers know anything about sanitation?

**The Hon'ble Rai Rajeshwar Bali:** Yes, they are supposed to know.

#### ADMISSION OF CANDIDATES TO THE INDIAN MEDICAL SERVICE.

\*9. **Pandit Govind Ballabh Pant:** How many candidates from this province were admitted into the Indian Medical Service in 1926? How many obtained the degree from the Lucknow Medical College? Which position in order of merit did the selected candidates occupy in the final examination? How many of them were the nominees of the Principal of the Medical College and how many of the Inspector-General? In how many cases did the Inspector-General accept and support the recommendations of the Principal?

**The Hon'ble Rai Rajeshwar Bali:** The Local Government have no information as to how many candidates are being admitted. Neither the Inspector-General of Civil Hospitals nor the Principal of the Medical College make any nominations for the Indian Medical Service.

#### CANAL BETWEEN KATHGODAM AND DAMIADHUNGA IN HALDWANI.

\*10. **Pandit Govind Ballabh Pant:** Is there any open canal between Kathgodam and Damiadhunga in Haldwani tahsil? Is there a public pathway besides the canal and cultivation on either side of it? Is it a fact that this canal is responsible for the loss of some lives of human beings and cattle every year? Is it the intention of Government to cover or fence this bit of about two miles?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes.

(b) There is a canal inspection pathway on the left bank of the canal. It is not a public pathway, but is used by the villagers for foot traffic.

(c) One death from drowning in this canal was reported during the year 1926. No loss of cattle has been reported.

(d) No. The cost would be prohibitive, and Government nowhere fence the pathways and roadways on the banks of canals which they make for the use of inspecting officers.

#### EXPERIMENTAL AND DEMONSTRATION FARMS AND SEED STORES IN KUMAUN.

**\*11. Pandit Govind Ballabh Pant:** How many experimental and demonstration farms and seed stores does the Government maintain in the Kumaun division and where? How many farms or stores were opened in Kumaun during the last three years?

**The Hon'ble Thakur Rajendra Singh:** Government maintain a demonstration farm at Jeolikote in the Naini Tal district. A seed store is attached to it. No farm or seed store has been opened in the last three years.

**Mr. Mukandi Lal:** Do the Government maintain a seed store in Garhwal or anywhere in the Kumaun division?

**The Hon'ble Thakur Rajendra Singh:** A seed store is attached to the Jeolikote demonstration farm in the Naini Tal district.

**Mr. Mukandi Lal:** Have the Government under contemplation a scheme to open seed stores in Almora, Pauri and Naini Tal?

**The Hon'ble Thakur Rajendra Singh:** There is already a seed store in the Kumaun division.

#### ANNUAL REPORTS OF THE DIRECTOR OF MALARIOLOGY.

**\*12. Pandit Govind Ballabh Pant:** Will the Government lay on the table the annual reports of the Director of Malariology for the last three years?

**The Hon'ble Rai Rajeshwar Bali:** Copies of the \*reports are placed on the honourable member's table.

#### APPOINTMENT OF SUPERINTENDENTS AS TREASURY OFFICERS.

**\*13. Pandit Govind Ballabh Pant:** In how many treasuries have deputy collectors been replaced by superintendents since the introduction of the present account and audit system? What is the system of the selection and appointment of superintendents and how many are likely to be appointed next year?

**Mr. E. A. H. Blunt:** (1) An experiment will shortly be made in two districts, which involves this change amongst others.

(2) The system of selection and appointment was explained in connexion with one of the supplementary demands put before Council on January 29. The intention is briefly to replace deputy collectors in the post of treasury officer by trained accountants drawn from the subordinate accounts service. Unfortunately the number of such men is

inadequate to carry out their proper duties and also to fill the posts of treasury officer. It has become necessary therefore to increase their numbers by special recruitment direct into that service. These men will be trained to replace members of the subordinate accounts service in their regular posts, which will release the latter for posts of treasury officer. It is proposed to recruit twenty of these, some in the current year and some next year.

(3) It is not possible to say how many posts of treasury officer will be filled by men of the subordinate accounts service next year. It depends partly on the rapidity with which the new men can be trained, thus releasing officers already in service for the post of treasury officer; partly on the number of officers already in service available; and partly on the rapidity with which the present deputy collectors can be absorbed in other posts. Government can only make the change gradually, but will endeavour to carry it out as rapidly as possible.

#### REVERSION OF PROVINCIAL SERVICE OFFICERS FROM OPIUM DEPARTMENT.

\*14. **Pandit Govind Ballabh Pant** : How many of the Provincial Service officers in the Opium department are likely to revert to their regular line next year?

**The Hon'ble Sir Sam O'Donnell** : Seven officers reverted during the financial year 1926-27 and one more will revert in April, 1927. No information has been received of any further reversions.

#### SARDA CANAL.

\*15. **Pandit Govind Ballabh Pant** : What amount has been spent over the Sarda canal so far? Has it begun yielding any revenue?

When is its construction likely to be completed?

**The Hon'ble Sir Sam O'Donnell** : (a) Expenditure on the Sarda canal to March 31, 1926 was Rs. 4,38,77,000.

(b) A small extra supply is being given to some of the Rohilkhand canals from the Deoha river. This, it is estimated, is yielding a revenue of Rs. 40,000 per annum.

(c) The Sarda canal will be opened to irrigate certain sections in 1928. The work will be completed in 1930.

#### GRAZING RULES IN GOVERNMENT *kham* ESTATES.

\*16. **Pandit Govind Ballabh Pant** : When were the grazing rules at present in force in the Government *kham* estates introduced? Were they ever published for objections? If cattle change hands in the course of the year, are the transferees required to pay the fee over again after the transfer?

**The Hon'ble Sir Sam O'Donnell** : (a) and (b) The rules have been substantially the same since 1907, but in 1924 some changes were introduced of which the most important was to increase the number of cattle which tenants of the estates were allowed to graze free. These were not published for objection. Government have under consideration a re-draft in a more compact and convenient form of the rules, which they hope to have ready shortly and will publish for criticisms.

(c) Except in the case of cattle of non-tenants changing hands between March 1 and September 30, the transferees are not required to pay the fee over again after the transfer.

**Mr. Mukandi Lal :** Are the Government going to increase the number of cattle in the *kham* estates ?

**The Hon'ble Sir Sam O'Donnell :** I do not think that there is any such proposal at the moment before the Government.

**Pandit Badri Dutt Pande :** Has it been notified to the residents there that the transferees are not required to pay the fee over again after the transfer ?

**The Hon'ble Sir Sam O'Donnell :** They must be aware of the rules on the subject.

**\*17. Pandit Govind Ballabh Pant :** [*Postponed at the request of Government till March 24, 1927.*]

#### AVERAGE ANNUAL EXPENDITURE PER SCHOLAR IN LUCKNOW AND ALLAHABAD UNIVERSITIES.

**\*18. Pandit Govind Ballabh Pant :** What is the average annual expenditure per scholar incurred by the Universities of Allahabad and Lucknow respectively, and of the above what is the amount contributed by Government in each case ?

**The Hon'ble Rai Rajeshwar Bali :** The average annual expenditure per scholar in the Allahabad and Lucknow Universities is Rs. 778 and Rs. 958 respectively, towards which Government contribute Rs. 666 and Rs. 709 respectively.

#### CHAMARPURA CATTLE FARM, KASHIPUR.

**\*19. Pandit Govind Ballabh Pant :** (a) What was the annual income from and expenditure over the Chamarpura cattle farm in Kashipur tahsil during the last three years ?

(b) How many bulls of the superior breed were set apart for breeding purposes ? How many were supplied to the public specifically for this purpose ?

(c) Is it a fact that so far all the bulls have been sold to the highest bidder on a public auction and have been put to the plough or the cart mostly after castration ?

(d) Is it the intention of the Government to modify the existing practice so as to afford ample facilities to those who want to use bulls for improving the breed of the cattle ?

**The Hon'ble Sir Sam O'Donnell :** (a) A statement is laid on the table.

(b) (i) No bulls of superior breed have been distributed free to tenants under any specific scheme for breeding purposes.

(ii) Tenants have purchased bulls for their own purposes, whether it be for breeding or use in ploughs or carts.

(c) The better quality bulls have been sold to the highest bidder by public auction. Those bulls had not been castrated.

(d) A scheme is under formulation at present under the direction of the Deputy Director of Agriculture in charge of cattle-breeding operations.

(See Appendix B, page 126.)

# GOVERNMENT LOANS.

\*20. **Pandit Govind Ballabh Pant** : What amount was payable on account of loans by this Government in 1923-24, 1924-25 and 1925-26 and what was actually repaid ?

**The Hon'ble Sir Sam O'Donnell** : (1) Statements are laid on the table, but I add the following comments in explanation :—

(a) *United Provinces Development Loan*.—The amount repayable under the terms of the prospectus during these years was 3 lakhs. The payment of an additional sum of Rs. 1,67,451 in the year 1924-25 was made because the Government received a windfall in the shape of refund of customs duty from the Government of India which they were directed to use for the avoidance or reduction of debt, and accordingly credited to the sinking fund.

(b) No amount is repayable towards the principal of pre-reform irrigation debt, which is of the type known as permanent debt, repayment of which is optional with the borrower.

(c) *Advances from the Provincial Loan Fund*.—Under recent orders repayment of these advances only becomes due with the year 1926-27, with the result that the provision which this Government had made for such repayment was not debited against them till that year.

(d) All sums payable have actually been paid.

(See Appendix C, page 127.)

**THAKUR BINDRABAN SINGH**, *sarpanch* OF **KABRAI panchayat**.

\*21. **Thakur Har Prasad Singh** : Will the Government be pleased to supply the following information :—

(a) Was Thakur Bindraban Singh, a member of the district board, Hamirpur, *sarpanch* of Kabrai panchayat ?

(b) Did any woman of Kabrai lodge any complaint against Thakur Bindraban Singh ? If so, when and under what section and with what result ?

(c) Did Thakur Bindraban Singh file any complaint against Nathu and Pragi ? If so, what, when and under what section and with what result ?

(d) Did Thakur Bindraban Singh tender his resignation from the office of *sarpanch* ? If so, when ?

(e) Had the Collector of Hamirpur any talk with Thakur Bindraban Singh before he submitted his resignation ?

(f) Was his resignation accepted ? If so, when ?

(g) Is it a fact that the said Thakur Bindraban Singh voted for Dewan Satrugan Singh, chairman of the district board ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) Yes.

(b) Yes, in December, 1925, under section 347, Indian Penal Code. The complaint was withdrawn.

(c) Yes, under section 500 in February, 1926. The case was settled by compromise.

(d) Yes, twice.

(e) The collector made an inquiry in open court.

(f) Yes, when the collector inspected the work of the *panchayat* in his winter tour in 1926.

(g) This cannot be said. Voting was by show of hands.

**Thakur Har Prasad Singh :** When did Thakur Bindraban Singh tender his first and second resignations ?

**The Hon'ble Nawab Muhammad Yusuf :** I ask for notice.

**Thakur Har Prasad Singh :** Was any charge brought against Thakur Bindraban Singh into which the Collector made an inquiry in open court, and, if so, what was that charge ?

**The Hon'ble Nawab Muhammad Yusuf :** The charge against Thakur Bindraban Singh was that he was abusing his power by making false allegations against a woman.

**Thakur Har Prasad Singh :** Was this charge proved ?

**The Hon'ble Nawab Muhammad Yusuf :** The woman was prevailed upon to withdraw the charge. When the District Magistrate made inquiries, she reiterated the charges and in the light of those charges the District Magistrate found him guilty.

**Thakur Har Prasad Singh :** Was he compelled to resign on this charge ?

**The Hon'ble Nawab Muhammad Yusuf :** I cannot say definitely.

MR. GUMAN MAHTON, MEMBER, DISTRICT BOARD, AND THE  
COLLECTOR OF HAMIRPUR.

\*22. **Thakur Har Prasad Singh :** Will the Government supply the following information :—

(1) Was Mr. Guman Mahton, member, district board, Hamirpur, summoned by the Collector of Hamirpur in the month of December, 1926 ? If so, why ?

(2) For which date was he summoned ?

(3) Did he attend on that date ?

(4) For how many days had he been attending the court of the collector continually ?

(5) Was his case taken up ? If not, what happened thereon ?

(6) Is it a fact that the collector was all along on tour during this interval ? If so, where was he camping on these dates ?

(7) Is it a fact that Mr. Guman Mahton voted for Dewan Satrugan Singh, chairman of the district board, Hamirpur ?

**The Hon'ble Nawab Muhammad Yusuf :** (1) Yes, on complaint by 37 fellow villagers who asked for his removal from the mukhiaship.  
(2) December 14, 1926.



(3) Yes.

(4) Four days while a magistrate's report was awaited.

(5) The case was taken up.

(6) Yes. He camped at Barhai on December 14, and then at Kabrai.

(7) This cannot be said. Voting was by show of hands.

**Thakur Har Prasad Singh :** Why was not some date fixed and why was he kept waiting for such a long time?

**The Hon'ble Nawab Muhammad Yusuf :** A date was fixed.

**Thakur Har Prasad Singh :** Why was he then kept waiting for four days?

**The Hon'ble Nawab Muhammad Yusuf :** Because a report was awaited.

**Thakur Har Prasad Singh :** Is it a fact that even on the fourth day some date in January was fixed and nothing was done on that date?

**The Hon'ble Nawab Muhammad Yusuf :** As ill luck would have it, the magistrate's programme was settled somewhere else and he had to go out. This is why the case could not be taken up.

#### REPRESENTATION BY JUDGEMENT-WRITERS.

\*23. **Mr. H. C. Desanges :** Has a representation been made by the judgement-writers to the Government for the alleviation of their grievances regarding their salary?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

\*24. **Mr. H. C. Desanges :** Has any action yet been taken by Government to alleviate their grievances?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

\*25. **Mr. H. C. Desanges :** If not, when does the Government oppose to enter into the question?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The question is already under consideration.

**Mr. H. C. Desanges :** When can the result be expected?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Shortly.

#### RECORD AND SETTLEMENT OPERATIONS IN GARHWAL.

\*26. **Mr. Mukandi Lal :** Is it a fact that record and settlement operations in Garhwal have been stopped?

**The Hon'ble Sir Sam O'Donnell :** Record operations have been stopped, but settlement is in progress.

**Mr. Mukandi Lal :** Do the Government give up the idea of surveying and recording in any part of Garhwal?

**The Hon'ble Sir Sam O'Donnell :** The record operations have been stopped.

**Mr. Mukandi Lal :** In the rest of Garhwal?

**The Hon'ble Sir Sam O'Donnell :** Yes.

\*27. **Mr. Mukandi Lal :** (1) What fraction of the entire cultivated area or land in Garhwal has been surveyed in Barahsyun ?

(2) How much did it cost the Government ?

**The Hon'ble Sir Sam O'Donnell :** (1) One-sixth of the entire cultivated area in Garhwal has been surveyed in Barahsyun.

(2) Approximately Rs. 1,64,600.

**Mr. Mukandi Lal :** Does the figure 1,64,600 refer to Barahsyun alone ?

**The Hon'ble Sir Sam O'Donnell :** It refers to the survey in Barahsyun which has been done.

**Mr. Mukandi Lal :** Is the figure 1,64,600 exclusive of 1,60,000 ?

**The Hon'ble Sir Sam O'Donnell :** Yes.

**Mr. Mukandi Lal :** Do the Government propose to keep down the increase of revenue below 20 per cent. ?

**The Hon'ble Sir Sam O'Donnell :** I do not think that has any bearing on the question.

\*28. **Mr. Mukandi Lal :** How much percentage and on what basis and under what law is the Government increasing the revenue in Garhwal ?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the following notifications published in the United Provinces Government Gazette, dated January 22, 1927 :—

(1) Government notification No. 120/I(A)—43, dated January 15, 1927.

(2) Board of Revenue notification No. 140/I-Sett.—841-C., dated January 18, 1927.

\*29. **Mr. Mukandi Lal :** What are the monthly expenses of the staff including the pay, allowance and travelling allowance of higher officials engaged in the present summary settlement ?

**The Hon'ble Sir Sam O'Donnell :** Approximately Rs. 4,725.

\*30. **Mr. Mukandi Lal :** How long is it likely to take to complete the present summary settlement ?

**The Hon'ble Sir Sam O'Donnell :** About two and a half years.

\*31. **Mr. Mukandi Lal :** How long would it have taken if the records were corrected after usual survey and proper settlement made ?

**The Hon'ble Sir Sam O'Donnell :** About five years.

\*32. **Mr. Mukandi Lal :** What was the approximate cost of complete and full survey and settlement as originally proposed and what will be the cost of the present summary settlement which is proceeding in Garhwal ?

**The Hon'ble Sir Sam O'Donnell :** Complete survey and settlement would have cost about ten and a half lakhs of rupees. The summary settlement will cost about Rs. 1,60,000.

#### TRANSPORT AGENCY, GARHWAL.

\*33. **Mr. Mukandi Lal :** Will the Government be pleased to state what was the income and expenditure of the Garhwal transport agency in 1925-26 ?

**The Hon'ble Sir Sam O'Donnell :** Income Rs. 82,703. Expenditure Rs. 89,209.

\*34. **Mr. Mukandi Lal** : What was the amount of money or grant given by the Local Government and what was its income from carriage or freight received from (i) Government officials, (ii) from private travellers, and what was the total carriage or wages it received?

**The Hon'ble Sir Sam O'Donnell** : Subsidy from Government—Rs. 24,452.

	Rs.
Income from carriage or freight received from	
Government officials ...	42,245
and from private travellers ...	8,725
Total ...	50,970

\*35. **Mr. Mukandi Lal** : How many maunds of load were transported by the transport agency for the following district officers in one year, 1925-26 :—

- (a) Deputy Commissioner of Garhwal.
- (b) Sub-divisional Officer, Chamoli.
- (c) Ditto Barahsyun.
- (d) Ditto Lansdowne.
- (e) Tahsildar, Lansdowne.
- (f) Do. Pauri.
- (g) Peshkar, Chamoli.
- (h) District Engineer.
- (i) District Civil Surgeon?

**The Hon'ble Sir Sam O'Donnell** : The approximate figures in maunds are as follows :—

(a) Deputy Commissioner of Garhwal...	9,424
(b) Sub-divisional Officer, Chamoli ...	4,532
(c) Ditto Barahsyun ...	1,226
(d) Ditto Lansdowne ...	1,995
(e) Tahsildar Lansdowne ...	239
(f) Do. Pauri ...	409
(g) Peshkar, Chamoli ...	246
(h) District Engineer ...	2,892
(i) Civil Surgeon ...	2,545

\*36. **Mr. Mukandi Lal** : What was the expenditure of the said transport agency in 1926 on the administrative side (pay of secretary, inspectors, coolie agents and clerks, and what was the expenditure on wages of coolies, mules and upkeep in 1925-26?

**The Hon'ble Sir Sam O'Donnell** : The expenditure on the administrative side was Rs. 13,761 and the expenditure on wages of coolies, mules and upkeep was Rs. 71,757.

\*37. **Mr. Mukandi Lal** : How many permanent coolies and how many mules were there in the service of the transport agency in 1926?

**The Hon'ble Sir Sam O'Donnell** : On an average there were 148 permanent coolies and 61 mules.

## COOLIE AGENCY, ALMORA.

\*33. **Mr. Mukandi Lal** : What was the expenditure on (a) administration, and (b) transport in Almora district coolie agency in 1925-26 ?

**The Hon'ble Sir Sam O'Donnell** : (a) Rupees 15,717-14-9, and (b) Rs. 27,688-15-1.

## SECRETARY, TRANSPORT AGENCY, GARHWAL.

\*39. **Mr. Mukandi Lal** : When does the present secretary of Garhwal agency retire ?

**The Hon'ble Sir Sam O'Donnell** : It is not known.

\*40. **Mr. Mukandi Lal** : Is there any one in Almora whose office corresponds to that of secretary in Garhwal ?

**The Hon'ble Sir Sam O'Donnell** : There are *ex officio* secretaries at Almora and Ranikhet (the tahsildar and naib-tahsildar respectively), and there is a paid secretary at Lohaghat.

## COOLIE AGENCY, ALMORA.

\*41. **Mr. Mukandi Lal** : How much money did the Almora coolie agency receive from Government as grant ?

**The Hon'ble Sir Sam O'Donnell** : Rupees 16,500 in 1925-26.

\*42. **Mr. Mukandi Lal** : What was the income of the Almora coolie agency received in 1925-26 from Government officials for transporting their luggage and goods, and what was their income from private travellers ?

Rs.    a.    p.

**The Hon'ble Sir Sam O'Donnell** :

Income received from Government servants ... 14,746    4    8

Income received from private persons ... 2,123    0    7

**Pandit Badri Dutt Pande** : Do these agencies supply grass and fodder to Government officials ?

**The Hon'ble Sir Sam O'Donnell** : I do not think they do. But if the honourable member wants definite information, I must ask for notice.

**Pandit Badri Dutt Pande** : Have any payments been made for grass and fodder supplied to Government officials ? Will the Hon'ble Finance Member please inquire ?

**The Hon'ble Sir Sam O'Donnell** : This is quite a separate matter from the transport agencies, and the honourable member must give notice for that.

## CONFISCATION OF FIREARMS AND RENEWAL OF LICENCES IN HAMIRPUR.

\*43. **Thakur Har Prasad Singh** : Is it a fact that the District Magistrate of Hamirpur has ordered Mahirajdhvaj Singh and others, the sons of Kunwar Vishvanath Singh of Malehta, to deposit all their firearms ? If so, will the Government be pleased to put on the table a copy of the said order of the district magistrate ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The District Magistrate ordered two sons of Kunwar Vishvanath Singh, by name Sirradhwaj Singh and Kushadhwaj Singh, and seven others to

deposit their firearms as a temporary measure pending local inquiry. A copy of the order is placed on the table. A third son of Kunwar Vishvanath Singh named Mahirajdhvaj Singh lost his licence and his gun was deposited. His licence was not renewed as he was convicted under sections 147/324, Indian Penal Code. The gun of a fourth son, Udaibhan Singh, was deposited under the orders of the sub-divisional magistrate. No action was taken against the other three sons. The licences of all the abovenamed persons except Mahirajdhvaj Singh have been renewed. Thirty-one reports were made in the police station against Mahirajdhvaj Singh and his relation Udit Narain Singh (referred to in question No. 45 of today).

(See Appendix D, page 130.)

**Thakur Har Prasad Singh :** Is it a fact that the conviction has been set aside by the appellate court?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware.

**Babu Bhagwati Sahai Bedar :** What was the nature of prolonged complaints that were received by the District Magistrate?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The prolonged complaints were that the relations between them and their tenants were very bad.

**Babu Bhagwati Sahai Bedar :** In the order of the magistrate it is said that there have been too many and prolonged complaints against these zamindars by their tenants. I want to know what were the complaints of the tenants against these zamindars?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not in a position to give the detailed information asked for by the honourable member.

**Babu Bhagwati Sahai Bedar :** Did these persons threaten their tenants with their firearms?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As I have said I am not in a position to give this detailed information.

**Babu Bhagwati Sahai Bedar :** Will the Hon'ble Home Member please inquire?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think there is any need for making an inquiry. There was a riot and one of these zamindars was prosecuted under section 147. So it shows very clearly that the relations between the zamindars and the tenants were bad.

**\*44. Thakur Har Prasad Singh :** Is it a fact that the sons of Kunwar Vishvanath Singh are the biggest zamindars of the district?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No. The seven sons of the late Kunwar Vishvanath Singh pay Rs. 8,134 land revenue between them. Two zamindars in this district pay individually more than this total, and scores pay more than the individual share of each brother.

**\* 45. Thakur Har Prasad Singh :** Is it a fact that the following persons applied for the renewal of their licences to the District Magistrate of Hamirpur and the said magistrate instead of renewing the

licences gave them *parwanas* authorizing them to hold the guns and had asked them orally to mend themselves according to the wishes of the District Magistrate during a certain period and that their licences would be renewed all right after the expiry of the said period if they could accede to the wishes of the District Magistrate:—

(1) Dewan Udit Narain Singh, (2) Kunwar Deo Pal Singh, (3) Kunwar Ram Pal Singh of Majhgawan, (4) Seth Kanhaya Lal, (5) Seth Prag Das, (6) Param Lal, (7) Bhup Singh of village Ranhak, (8) Kunwar Gur Bux Singh, and (9) M. Rao Rani Dulaya of village Magroth?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No. These persons applied to the sub-divisional officer for renewal. The sub-divisional officer gave them *parwanas* which allowed them to keep their guns and then sent the applications to the District Magistrate. The District Magistrate ordered the guns of Nos. 1 to 3 to be deposited (vide the order referred to in the answer to question No. 43) and directed Nos. 4 to 7 to retain their guns and to appear before him at their homes at three different places to take delivery of their licences. The licences of Nos. 2 to 7 have been renewed. The applications of Nos. 1, 8 and 9 are still under inquiry. No assurance was given to any licensee, nor were any of them asked orally to mend themselves according to the wishes of the District Magistrate.

\* 46. **Thakur Har Prasad Singh :** Is it a fact that the persons mentioned in the foregoing question have been ordered by the District Magistrate to appear again in connexion with the renewal of their licences? If so, will the Government be pleased to state why this has been done?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Only Nos. 4 to 7 of those named in the previous question were so ordered. The order was passed under rule 55 (2) of the United Provinces Arms Rules and Orders. They appeared and their licences were renewed.

PANDIT GIRJANAND, MEMBER, DISTRICT BOARD, HAMIRPUR.

\* 47. **Thakur Har Prasad Singh :** Is it a fact that Pandit Girjanand, a member of the district board, Hamirpur, who voted for Dewan Satrugan Singh, chairman, has been dismissed from the *panchayat* of his village? If so, will the Government be pleased to put on the table the order of his dismissal?

**The Hon'ble Nawab Muhammad Yusuf :** Pandit Girjanand was not dismissed. He went out of office after the expiry of his term, being ineligible for re-appointment under section 6 of the Panchayat Act.

LALA PARMANAND, MEMBER, DISTRICT BOARD, HAMIRPUR.

\* 48. **Thakur Har Prasad Singh :** (1) Will the Government be pleased to give the following information:—

- (a) number of criminal cases started against Lala Parmanand, member, district board, Hamirpur, in 1926;
- (b) Acts and sections thereof under which the cases were started;
- (c) final result of each case?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The information asked for is given below :—

*Result.*

- |  |  |
|--|--|
| (1) Section 103, Criminal Procedure Code | The accused was ordered to execute a bond for good behaviour for Rs. 500 with two sureties in Rs. 250 each for one year, in default to undergo one year's simple imprisonment. The order was upheld on appeal by the Sessions Judge.   |
| (2) Section 21, Arms Act.                | The accused was convicted and sentenced to pay a fine of Rs. 100, in default to undergo rigorous imprisonment for one month. The conviction and sentence were quashed on appeal.   |
| (3) Section 62, Stamp Act.               | The accused was sentenced to pay a fine of Re. 1, in default to undergo simple imprisonment for three days.  |
| (4) Section 504, Indian Penal Code.      | This case was started on complaint. The accused was sentenced to pay a fine of Rs. 50 ; in default to undergo rigorous imprisonment for seven days. On appeal the conviction was upheld, but the amount of fine was reduced to Rs. 30. |

\*48. **Thakur Har Prasad Singh :** (2) Is it a fact that the licence of Lala Parmanand for holding a gun has also been cancelled? If so, when and why?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Thakur Har Prasad Singh :** Part (2) of my question has not been answered.

**The Hon'ble the President :** The reply "No" is there.

**Thakur Har Prasad Singh :** May I know what has become of his gun?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not know.

**Thakur Har Prasad Singh :** The gun has been taken away from him. What has become of it? I want to know whether the licence has been suspended or what has become of the gun? Has the gun been confiscated? My question was "Is it a fact that the licence of Lala Parmanand for holding a gun has also been cancelled? If so, when and why? The reply is "No."

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Perhaps he had no licence.

**Thakur Har Prasad Singh :** He had a licence, and I want to know what has become of the gun.

No reply.

**Babu Bhagwati Sahai Bedar :** Will the Government please inquire whether his gun is in the malkhana or not?

No reply.

\*48. **Thakur Har Prasad Singh :** (3) Is it a fact that the District Magistrate of Hamirpur reported for the removal of Lala Parmanand from the membership of the district board? If so, with what result?

(4) Is it a fact that Lala Parmanand voted for Dewan Satrughan Singh, chairman, district board?

**The Hon'ble Nawab Muhammad Yusuf :** (3) Yes; the Commissioner declined to take further action.

(4) This cannot be said as voting was by show of hands.

\*48. **Thakur Har Prasad Singh :** (5) and (6) [*Postponed at the request of Government till March 24, 1927.*]

\*49. **Thakur Har Prasad Singh :** Has it been brought to the notice of the Government that Lala Parmanand was sent for by Mr. R. S. Nigam, Deputy Magistrate, Hamirpur, in December, 1925 and was asked by him to vote for Babu Shiva Prasad, the old chairman?

**The Hon'ble Nawab Muhammad Yusuf :** The allegations contained in the question are not correct.

\*50. **Thakur Har Prasad Singh :** [*Postponed at the request of Government till March 24, 1927.*]

### UNSTARRED QUESTION.

#### LOCAL OPTION BILL.

1. **Pandit Govind Ballabh Pant :** Will the Government lay on the table a draft of the Local Option Bill which it had promised to introduce in the Council?

**Kunwar Jagdish Prasad :** A Bill embodying the principle of local option will be circulated for public opinion at an early date.

#### KING EDWARD VII MEMORIAL SANATORIUM TRUST COMMITTEE.

*Election by the non-official members of the United Provinces Legislative Council of a person (a non official medical practitioner practising in the United Provinces) to serve on the King Edward VII Memorial Sanatorium Trust Committee in place of DR. BHOPAL SINGH of Meerut who has resigned.*

Dr. Kesho Deo Shastri was proposed by Mr. Mukandi Lal and seconded by Babu Sampurnanand. Dr. N. L. Sah, M. D., was proposed by Pandit Badri Dutt Pande and seconded by Babu Sampurnanand. Dr. R. K. Tandon was proposed by Rai Bahadur Thakur Hanuman Singh and seconded by Raja Raghuraj Singh.

**Pandit Badri Dutt Pande :** I beg to withdraw the name of Dr. Sah.

**The Hon'ble the President :** Two names remain, Dr. Kesho Deo Shastri and Dr. R. K. Tandon. Honourable members will vote now.



## BUDGET, 1927-28.

## GENERAL DISCUSSION.

**The Hon'ble the President:** The next item is the general discussion of the Budget. Under rule 28, paragraph 128, of the Council Manual, I prescribe 15 minutes as the time limit for speeches today and tomorrow. I hope honourable members will keep themselves within this time limit, because they must have consideration of the fact that as large a number of members as possible should take part and that will only be possible if they would confine their remarks well within time-limit. I hope that, if they will not clash in making their points and will not emphasize those points which have already been made by other members, it may not be difficult for them to keep within the time-limit. I propose that after lunch tomorrow I shall call on the official members to defend themselves as best as they may from the attacks of the non-official members. Up to lunch time tomorrow I think 20 or 25 non-official members will have succeeded in making their points and that should be enough to throw a sufficient searchlight of criticism on every nook and corner of the Budget. Of course they will come to grips later on with details when the Budget heads are discussed. I hope this arrangement will suit the honourable members of this House.

**Khan Bahadur Hafiz Hidayat Husain:** In initiating this year the debate on the Budget—the last which the Hon'ble Sir Sam O'Donnell presents—I cannot refrain from taking this opportunity of congratulating him on the ability, the zeal and vigour with which for the last five years he has skippered the finances of these provinces. It is nearly five years since Sir Sam O'Donnell assumed the stewardship of the finances and, although he has had one or two very unwholesome measures of taxation to his credit, I am glad to contemplate that we have done away with those measures, though they are still to be found in other provinces of India. Sir Sam O'Donnell is also able to promise us better times in future. He is sanguine that in years to come our finances will correspond better to provincial requirements.

Coming to the Budget, Sir, I think I must begin with a complaint. In 1924 Sir Sam O'Donnell tacitly gave an undertaking that at least seven days will be allowed to the study and consideration of the Budget by the members. This year we have been allowed only four days. The changed form in which the Budget has been presented is novel, and for persons like myself who have other vocations to follow, the time has hardly been sufficient to study even cursorily the many intricacies of detail inseparably connected with a provincial Budget. Therefore, I am afraid, that any observations that we may have to make will partake more of perfunctory character. The Budget figures for 1927-28 show a deficit of 39 lakhs. As compared with other provinces, Bombay, for instance, where the deficit is 58 lakhs, Bihar and Orissa where the deficit is more than a crore of rupees, Madras where it exceeds 69 lakhs, it is a matter of thankfulness that the deficit which has been our lot is not so heavy. But still the financial position of the provinces is such that it cannot be contemplated with equanimity. The position reveals two things. Firstly, that we have not given sufficient consideration to the expenses and to the sources

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of income, in other words, that we have overestimated the income and underestimated the expenditure, and secondly, that we have gone on recklessly contracting debts. To the debts I will come later, but the point that I wish to emphasize here is that the budget in itself, though no disappointing, is discouraging, considering that the closing balance estimated at 65½ lakhs has been reduced by 77 per cent. and the process to which is attributed this drop may well repeat itself, bringing uncertainty and disturbing financial equilibrium. Three causes have contributed to this drop and consequent uncertainty. Firstly, the unforeseen expenditure, secondly, revenue not realized or loss of revenue, and thirdly, presentation of supplementary estimates. Now are not these three things going to repeat themselves again this year? And if they do repeat themselves, then I think the effect will be that the closing balance, which is considerably less this year, will vanish altogether. Even this year, were it not for the generosity of the Government of India in remitting the entire contribution, at least for this year, the budget would have provided a mournful reading. As it is, I think that the deficit in the budget is attributable to these two causes particularly, firstly, overestimating income and underestimating expenditure, and secondly, reckless borrowing. To provide against this, I very strongly advocate the creation of a reserve, for until we have some sort of a reserve to fall back upon, the finances of the province will never attain stability.

I will now refer to the debt charges. The debt charges are 13 per cent. of our expenditure. The Hon'ble the Finance Member seems to be quite satisfied with the position and sees no ground for anxiety. I must differ from him, my reasons for this difference of opinion being that although the debt charges cover 13 per cent. of our expenditure now, still they do not yet approximate the maximum. When they do so, the bulk of the remission of the provincial contribution will be devoted to debt charges alone, and if we have bad years in future we will be inevitably confronted with still more heavy deficits. Now, Sir, the fact remains, that as our income increases so will also our expenditure. And if we went on simply balancing the income and the expenditure, provided we were assured against lean years and were arithmetically correct in the estimate of our income and expenditure in future, we will still be leading a life of penury, living from hand to mouth. That is my main reason for advocating the creation of a reserve fund.

I have just submitted that we borrow recklessly, and do not believe in a cautious and conservative policy of incurring capital liabilities. Let me refer you to the proposed expenditure on police buildings. In the next two or three years we are going to spend at least a crore of rupees over these buildings. Now, some of these buildings may certainly be required, some of them may be very necessary, but still I should think that this crore of rupees that we are going to spend only on police buildings is such an enormous sum that I think the Council should not allow it to be met out of borrowed money. One cannot advocate too cautious a policy of curtailment in expenditure.

The other point that I want to make out for the stability of our finances is one of currency, a point on which I have already interpolated the Government without any satisfactory answer. I hope that the

Government will advocate the ratio of 1/4d. instead of 1/8d. This will contribute to the prosperity of the province, and is the considered opinion of the entire body of manufacturers of this province.

**The Hon'ble Sir Sam O'Donnell:** But they have passed the other.

**The Hon'ble the President:** The honourable member is flogging a dead horse.

**Khan Bahadur Hafiz Hidayat Husain:** Well, then, I leave him. The roads this year are getting Rs. 24,087,000 for their reconstruction. This is welcome. Since the transference of the roads particularly to the control of the district boards these roads have gone from bad to worse, with the result that trade is being retarded, communication is unsafe and therefore it is only proper that a good portion of our income was devoted to the construction and repair of roads. I hope that the Public Works department will devote more attention to the improvement of communications in years to come.

Education has been mercilessly treated in the budget. The grant to non-Government secondary schools has been reduced by more than four lakhs of rupees; the grant for primary education shows a decrease of well near Rs. 4,30,000.

Grants for special education have also been cut down to the extent of a lakh of rupees and miscellaneous educational grants are more than a lakh of rupees below the 1926-27 figure. Now, Sir, the subject of education is one over which this Council has been very keenly interested since the inception of the Reforms. Indeed, we have reiterated over and over again that there shall be no reduction whatsoever in the provision for this important nation-building department, and I hope the Hon'ble Minister for Education has protested very strongly to the Finance department against the curtailment of these educational grants. Were it not that we have reasons to anticipate good fortune next April when the supplementary estimates will be presented, I think this House would at once insist for the restoration to figures of at least the last year's. Now, while I am on this point, let me urge on the Hon'ble Minister to take into his special consideration the needs of Muslim primary education. The Primary Education resolution of 1914 has been mentioned so often on the floor of this House that I do not think it would be right if I were again to recall the circumstances under which that resolution was passed. Nor do I think it necessary to remind the House of the existence, even today, of those circumstances, but I might be excused if I said here that the spirit in which that resolution was conceived is not the spirit in which it has been acted upon. The consequence is that Muslim primary education has suffered. Some Islamia schools have been lately closed; no aided *maktabs* have been opened. I therefore hope that the Hon'ble Minister for Education will particularly bear this fact when supplementary estimates are presented to the Council next month.

With regard to industries, we find that an additional lakh of rupees has been allotted this year. Last month my friend, Rai Bahadur Wikramajit Singh, a member of the Board of Industries, and also the Director of Industries emphasized the urgent need of extra money for the department. According to the most modest estimate, even if thrice the amount had been provided, it would not have been enough. One lakh is

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wholly insufficient to meet the growing necessities of this department. The department of Industries deserves well of this House; it deserves well of the Finance department; it has done immensely good work during the last few years, and if its activities are to continue, it will require more money and if we do not give it more money, industries which are in their infancy will get stunted, with the result that there will be a set-back to the industrial activities of the province even in their infancy.

I mention here also the department of Agriculture. It is a very hopeful sign of the times that we have got a commission on agriculture which is presided over by the Marquis of Linlithgow, who is an expert in agricultural matters, and we hope for good results. It will not be opportune to anticipate those results, but the sympathy and broad-mindedness which the noble Lord brings to bear on his task is ample guarantee that good results will come out of the labours of the Commission over which he presided. But, Sir, let me repeat what I stated last year. I said that agriculture is the main industry of the country. At least 90 per cent. of our people live on agriculture. But are industries going to be stunted simply because we are going to improve agriculture? My point is that agriculture and industries must go hand in hand. You cannot let agriculture develop and dwarf the industries. Unless the production of raw material and its utilization in industrial works goes hand in hand, I do not think there can be any prospect of a future India advanced agriculturally and industrially.

With regard to co-operation . . .

**The Hon'ble the President :** The honourable member has exceeded his time.

**Khan Bahadur Hafiz Hidayat Husain :** I shall presently conclude my remarks, Sir. With regard to co-operation, there is an increased allotment of one and a half lakhs and we hope that with the aid of this money co-operation will bring out those results which have been anticipated by the Oakden Committee.

Coming to one other subject, Excise, I am not quite sure what the policy of the Government is in this matter. Indeed, one has never been able to understand what their position is. In one place shelter is taken behind abstention. In the second place, it is stated that there is little difference between abstention and prohibition. Some provinces of India have launched on a policy of prohibition. Our province confines itself to abstention—abstention from inside, not prohibition from outside. I hope, Sir, if there be a discussion on this subject when we come to the demands for grants, the Hon'ble Minister for Excise will be able to say what the policy of the Government really is with regard to Excise.

A few words more and I have finished. With regard to the reserved subjects, I find that they again absorb the bulk of our revenues. I do not deny the right of the reserved departments to a respectable portion of our revenues, but I do think, from the way in which these departments have been treated in this budget, witness the grant for police buildings, that we are giving very much more money to the reserved

departments than they deserve, of course at the sacrifice of the transferred departments. And therefore I insist that in any future allotment of funds the claims of the transferred departments will have a dominating place.

**Pandit Iqbal Narayan Gurtu:** The financial position disclosed by the statement of the Hon'ble the Finance Member reveals many features which should give sufficient cause for anxiety to those who may make a careful study of our finances. I think the best way in which we can have a correct estimate of the situation is to go back to the period when the new system of reformed Government was inaugurated, and compare the financial situation as it was then with the financial situation as it will be at the end of 1928 and in future. And I think it is well that we should see what have been the mistakes during these seven years, if any, and how they could be avoided in future, and what is the policy which in the main is responsible for the situation that has been created.

Sir, the Meston Committee on Financial Relations recommended a transfer of certain heads of revenue to the provincial Government and thereby gave an increase of a gross revenue of nearly five crores to our provinces. As against that, there were some permanent obligations also; the chief of them was the provincial contribution, but there were other obligations also—famine insurance, repayment of provincial loan, payments in England, interest charges and others. Taking these permanent obligations and deducting them from our increased sources of revenue, there was to be a balance of nearly a crore and a half, or to be more accurate, a crore and fifty-seven lakhs was expected to be the balance in the hands of the provincial Government, a sort of increase in its spending power. Now let us see how we have made use of that increase of spending power to the extent of over a crore and a half.

After the passing of the Reforms Act and before the inauguration of the Reformed Government, we find that the increase of the salaries of the Imperial services and of subordinate services brought an additional obligation on our finances to the extent of nearly  $1\frac{1}{2}$  crores. So that virtually when we began the Reformed Government the increased resources were practically exhausted. That was the situation roughly how we began the Reformed Government.

Immediately after the inauguration of the new system of government there were three important problems before the Reformed Government. First of all, there was the scheme of the Sarda canal that was to be pushed; secondly, there was a large building programme which the Government had up its sleeve, but which the Council did not know much about; and thirdly, there was the scheme of the development of the transferred departments. These were the three big problems that Government had to tackle. It had, therefore, to think out a policy according to which it could meet these needs, and the policy then initiated was that the expenditure of a non-recurring character, a substantial part of which used to be charged to revenue, should henceforward be met out of capital. That was the new policy that was pursued with vigour, and, without meaning offence, I may be allowed to say, was pursued recklessly. That was the beginning of the whole of our future troubles.

[Pandit Iqbal Narayan Gurtu.]

I do not wish to enter into a detailed discussion of the technical question as to how far loans should be utilized for non-recurring purposes. It is admitted on all hands that it is permissible to raise a loan for directly productive purposes. That is a position which is generally accepted. But when we proceed beyond that limit we enter into an arena of controversy as to how far it is permissible for a Government to borrow and to spend the loans over either indirectly productive or altogether unproductive purposes. Government's policy was challenged by that acute critic of our provincial finances, Mr. Hirday Nath Kunzru, in the very first year. The Finance Secretary, in reply, admitted that directly productive purposes were those which would increase the wealth of the country or, in other words, which would increase its taxable capacity. But he also justified expenditure over indirectly productive purposes because they indirectly improved the condition of the people and thereby indirectly produced wealth. Well, Sir, I am not discussing the question as to how far we should spend over indirectly productive purposes; but surely non-productive expenditure from debt is almost a financial crime. But here in this province we enter upon an era of reckless expenditure over non-productive purposes also like the Council Chamber, the police and other public buildings, and so on. Now it is a question, a serious question, as to how far it is permissible for the Government to take loans and spend money over absolutely non-productive purposes, while Government has to pay interest and the principal back. I say we entered upon an era of huge borrowings with that mistaken initial policy, viz., of incurring non-recurring expenditure, even for non-productive purposes, from debts. Now the first thing that was done in pursuance of that policy was the borrowing of nearly 4½ crores in the United Provinces Development loan. I say that was the first mistake, and I will give my reasons. I know it will be asserted that the loan was necessary because the Sarda canal was taken in hand. Well, to that extent it certainly was necessary, because it was for a directly productive purpose. But my information is—I do not know how far it is correct—that out of nearly 4½ crores that we borrowed, we have only spent about one crore over the Sarda canal. I say this, of course, subject to correction. The remaining three crores and more of that development loan has been spent either on indirectly productive purposes or on absolutely non-productive purposes. I maintain that the Sarda scheme was pushed at a most unsuitable time when wages and prices of materials were very high. Money could not be had without paying large interest. The terms that had to be offered in order to attract money were much too liberal and have placed these provinces under heavy obligations. The third mistake in the floating of that loan was that it was taken in a much larger amount than was immediately and absolutely necessary. The balances out of that loan remained in the hands of the Government for nearly three years, perhaps even more than that. The unspent balances remained in the hands of the Government for a pretty long time. I know the answer to that will be, after all, the unspent balances were transferred into treasury bills and fetched interest from the Government of India. I know it will be said that there was not heavy loss of interest. I maintain that there was sufficient loss of interest because treasury bills fetched a smaller rate of interest than what we had to

pay to the bond-holder. Secondly, it is not so much interest which brought us heavy losses. Our heavy losses were over discount and over depreciation fund. The cost of flotation, discount, sinking fund etc., resulted in an initial loss of nearly 34 lakhs because I understand that the actual money that Government got out of the loan was only 386 lakhs. So that it cost not only loss of interest but also an additional substantial loss of nearly 34 lakhs. And all this had to be done in order to attract money.

Anyhow, this development loan served us for some time. For two years there was no borrowing, but we soon found that more money was needed. Government dared not repeat the experience of the development loan because it had become wiser by this time though it will never confess it. It again renewed the policy of borrowing from the Government of India. During the last four years we have borrowed nearly 780 lakhs, out of which nearly 5 crores and 31 lakhs have been used for the wards. So that about  $1\frac{1}{2}$  crores have been spent over other purposes. The net result is that out of the development loan Government used about 3 crores for other than directly productive purposes and out of these later borrowings Government has spent nearly  $2\frac{1}{2}$  crores. Thus altogether we have spent out of the loan and subsequent borrowings about  $5\frac{1}{2}$  crores over such purposes. But that is not all that we have done. We have spent out of other sources of revenue which were not either contemplated by the Meston settlement or which have been in the nature of windfalls. The remission of the provincial contribution alone, which was not foreseen at that time has given an extra income during these three years, according to the Finance Member of 2,34 $\frac{1}{2}$  lakhs. Then we made inroads into the famine insurance fund. I have not time to go into the question as to how far it was permissible or advisable to encroach upon that fund, or which heads of expenditure it is permissible to meet from that fund and which not. I am sure other honourable members will take up that point. But what I wish to draw attention to is that during these seven years we have drawn nearly 3 crores from the famine insurance fund and have spent it. Then there was another source we tapped by means of extra taxation. I have not been able to find out how much additional income it brought to the Government, but, I hope I am not far wrong when I put it on a moderate scale at 40 lakhs at least. I say 40 lakhs because Government when they introduced legislation expected 65 lakhs at that time, but the scale proposed by the Government in their Bills was slightly modified by the Council, and that reduced its income. Therefore I think I am not far wrong when I say that the income that we derived from extra taxation was nearly 40 lakhs; a difference of a few lakhs does not matter when we are dealing with crores. Another encroachment was on our balances. Our opening balance at the time of the inauguration of the reformed Government in 1921 was about 89 lakhs. The closing balance at the end of 1928 will be, I understand, 28 lakhs. So that taking the seven years together, we have drawn upon our balance to the extent of nearly 60 lakhs. Thus by means of further taxation and by means of drawings from balances, we have taken nearly a crore. Adding these heads, namely, about  $5\frac{2}{3}$  crores from borrowing, about  $2\frac{1}{2}$  crores from remissions of provincial contribution about 3 crores from the famine insurance fund, and one crore from taxation and balances, we have really spent to the extent of 12 crores during th

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seven years over purposes that were other than directly productive, a substantial portion being definitely non-productive. I am at present entirely leaving out our normal increase in revenue expenditure consequent upon the normal increase of revenue receipts during the last seven years. Therefore the average of our increased abnormal expenditure during the last seven years has been at the rate of Rs. 1, 70, lakhs per year. To clinch the point, we have spent 12 crores over purposes other than directly productive as against 6 crores and odd over Sarda, a directly productive project—a proportion of two to one. Now, Sir, it is that which led me to say that we have been very indiscriminate, first in our policy of borrowing and secondly, in our policy of expenditure from the debts that we have borrowed, with the result that our debt charges which were nearly Rs. 72 lakhs in the pre-Reform days have gone up nearly to Rs. 1,72 lakhs now. I am using this figure 1,72, because I have taken the average of the next four years which the Hon'ble the Finance Member has himself mentioned. Thus at least for the next four years the recurring increase over our debt charges, will amount to a crore. We have therefore to meet this recurring increase of an extra crore. I showed in the beginning how we have exhausted the resources which were contemplated at the time of the Meston award; we exhausted them when we took over the Reformed Government and now we have added to that an additional recurring expenditure of a crore which we have to pay as debt charges. The Hon'ble the Finance Member says that in the next four years he will require another four crores for beneficial expenditure. That is one way of putting it. Another way of putting it would be that he requires four crores in order to meet an extra expenditure over debt charges. Now, Sir, we may be sure that the remaining  $1\frac{1}{2}$  crores of our provincial contribution will be remitted to us. What will be the result? Not that we shall be able to use that for the nation-building departments or anything of the kind, but a very substantial part of it will be simply absorbed in the payment of these extra debt charges to the extent of one crore per annum. The Hon'ble the Finance Member in his statement has mentioned that a substantial portion of the remissions in the provincial contribution has been spent over the transferred departments. He says that the Government has spent over Rs. 101 lakhs on the transferred departments and Rs. 60½ lakhs on the reserved departments and so on. We do not quite know how the Hon'ble the Finance Member has arrived at that figure. But my suspicion is that a good deal of what is declared to be expenditure on the transferred departments is really expenditure over Civil works. Civil works, public works, is certainly, a transferred subject; but then moneys spent on buildings, etc., for the reserved departments are shown as expenditure under Civil Works—a transferred department. I suggest that, in future, expenditure on Civil works should be divided into two heads: Civil works for the transferred departments and Civil works for the reserved departments. Then we shall know how much money out of the expenditure under Civil works has been actually spent on the transferred departments, and how much for the reserved departments. I hope the Hon'ble the Finance Member will give us figures showing how much we have spent during the last seven years under Civil works for buildings, etc., belonging to the reserved departments.



Then we shall be in a position to know whether the greater portion of the money has been spent over the reserved or over the transferred departments.

I may conclude by asking what is our real financial position and what future does it indicate? I submit, Sir, the future looks, to me at least, very gloomy. The Hon'ble the Finance Member is of course satisfied. His incurable optimism is only ruffled a little bit when he needs further taxation. Then of course he will give a very gloomy condition of the finances of the province in order to persuade honourable members to agree to fresh taxation, when no proposal for taxation is before the House then, of course, the Hon'ble the Finance Member is always in an optimistic mood. With his usual optimism, he says that the position for the future is extremely satisfactory. But I may end by quoting the opinion of an equally important financial adviser of the Government—the Accountant-General—from the Appropriation Report for 1924-25, and let us see what his conclusions are. He says:—"If the resources of the province have hitherto been proving increasingly unequal to the demands on them, the future must necessarily compel anxiety, if not alarm. The prospect of an appreciable expansion of revenue is indeed remote." And then he concludes by saying:—"Nevertheless, the expenditure has been going up and the process is bound to go on. In the meantime the Local Government base their hopes on the eventual disappearance of the provincial contributions to the Central Government". I have shown how when that hope is realized we shall find ourselves in the position that the extra income that we shall get has already been mortgaged in anticipation by the debts and debt charges that we have to pay.

**Khan Bahadur Maulvi Fasih-ud-din :** The budget memorandum of the Hon'ble the Finance Member contains a mine of information which is perfectly intelligible even to the most uninitiated layman. He really deserves our thanks for the simple and inartistic fashion in which he has told us his story and in which he has led us through the mazes of the various financial problems of these provinces. Now that this is to be his last budget, we can forgive him for taking a legitimate pride in enumerating the various reforms that have been effected during the last four years, both in the transferred and reserved departments. We agree with him when he praises his indomitable secretary and his two deputies. But I am sorry to say that we cannot agree with him when he takes such an optimistic view of the future of these provinces. Our expenditure has exceeded our income and we are face to face with a deficit of 39 lakhs. The Hon'ble the Finance Member expects to more than cover this deficit by the anticipated remission in the provincial contribution and, failing that, by the only source of living the life of a bankrupt, namely, borrowing. He, however, sounds a more hopeful note when he says that in the sphere of imagination there is no finality. We agree with him in this respect. Surely a province which has got at its back an uncovered debt to the extent of about 25 crores and which has already about 3 crores and 92 lakhs of rupees in the near future, a province which, as Khan Bahadur Hafiz Hidayat Husain has already said, has a debt charge amounting to 13 per cent. of its expenditure, a province which cannot keep its cost well within its income, a province which has to depend on a windfall for its future financial condition cannot certainly be congratulated, as Khan Bahadur Hafiz Hidayat Husain has done, for anything.

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The most distressing feature of the budget has been the curtailment of 8 lakhs of rupees from the Education budget. The Hon'ble the Finance Member says that the present item is well above the item of 1922-23 or of 1923-1924. This plea, I submit, does not appeal to those who think that education is a caterpillar that can only proceed forwards and not backwards. Sir, I find by an analysis of the figures of this budget that education has been made to suffer at the altar of various departments, both reserved and transferred. It has to suffer at the altar of the police, which needs an increase of  $1\frac{1}{4}$  crores, at the altar of the settlement department, which needs an increase of  $1\frac{1}{2}$  crores, at the altar of various other transferred departments of comparatively minor importance, and lastly, at the altar of its own non-voted branch, which needs an increase of Rs. 63,000. I think that economy, if it was to be begun at all, has begun at a very wrong end, and it is up to us to see that no further curtailment takes place in the Education budget.

Now, I come to settlements. The tax-payer has to pay as much as  $10\frac{1}{2}$  lakhs of rupees for the entertainment of settlement officers, their retinue, and their vanguard, viz., the record staff. The circumstances under which the settlement Bill was withdrawn in June last and was subsequently substituted by a set of rules embracing some of the principles of the withdrawn Bill are a matter of recent history, and I need not describe them on this occasion. I may, however, mention that the late stage at which the Bill was withdrawn proved to be a source of great disappointment not only to all the members of this Council but also to the public at large. The labour and money spent over that bill in connexion with the settlement committee, the select committee and the discussion in the Council proved to be love's labour lost, when the Hon'ble the Finance Member briefly ejaculated, "I do not wish to proceed with the Bill any further." Sir, I have no quarrel with the Government for what they did, because, if we lost our game on the chess-board of the Council, it was through our own inexperience and tactlessness. However, after the passage of the Tenancy Bill through the Council we approached the Government on bended knees and begged it to give us this concession and that in connexion with the settlement policy, forgetting that beggary was not a paying profession, at least in politics. We then tried to make use of the counterpoise, viz., the votes of the Swaraj party, and the natural result was a crash. But one thing which occurs to us is this, that those who live in glass-houses cannot afford to throw brickbats at others.

If a drastic tenancy legislation was needed on account of the treatment of the tenants by their landlords in the shape of frequent ejectment and rack-renting, then what about the settlement policy of the Government? I mean the policy of strenuously awarding long term settlements, the policy of stiffening circle rates, the policy of niggardly allowances for improvements and for seed cultivation, the policy of allowing so many loopholes to settlement officers for increasing the recorded rents, and lastly, but not the least of all, the policy of fixing an arbitrary standard below which the percentage of land revenue to be assessed could not go. A certain medical practitioner said to a legal practitioner:— "I hate your profession. It is a devilish profession. You foment litigation and make money over the troubles

of others" The legal practitioner very coolly replied:—"Doctor, yours is a very noble profession, because you send so many people to paradise every day."

Just one word about the provincial services. I am not one of those who think that efficiency should be sacrificed for the sake of economy, who underrate the intrinsic work of the Indian Civil Service. But at the same time I think that the provincial services have been very badly treated, and the recommendations of the Lee Commission have not been given effect to, although over three years have passed. Besides, the question of housing the members of the provincial services still remains unsolved, in spite of the fact that Rs. 49 lakhs have already been borrowed for the sake of police buildings and Rs. 52 lakhs are to be borrowed in the near future.

Now, Sir, I find that about four years ago, that is in March, 1923, the Hon'ble the Finance Member said in his budget statement that new taxation was needed in order to meet the cost of the enforcement of the scheme for the separation of judicial and executive functions. Since then about four years have passed and we have not heard anything about that question and we do not find any provision for meeting the cost of that scheme even in this budget. This is a matter for serious consideration. The Government of India seem to be pondering over this question still. We are told that this is a question of all-India interest and so it is before the Imperial Government. Officers have come and gone. Secretary after Secretary has scratched his head, but the tangled knot still remains to be unravelled and we do not know how long the question will hang fire.

**Babu Sampurnanand:** The orthodox fashion of celebrating this annual function—I mean the general discussion of the budget—is for a member to congratulate the Hon'ble the Finance Member on his clever jugglery with figures and then to curse the Government for not having done this thing or that. I do not wish to follow that line. To me this budget appears to be something like a work of art. A work of art is symbolic of great truths of human life and of the great laws of nature—things which can only be understood by those whose minds are properly attuned. I do not know if the House is in a proper mood. But I shall try to show some of the beauties of this budget.

There are those who believe that the elevation of a nation depends on the elevation of its mothers; that if you want to have a nation properly elevated, physically, mentally, morally or spiritually, you must pay proper attention to the elevation of the girls of today who will be the mothers of tomorrow. What do we find in this budget? Mr. Harrop in this report of his on primary education says that about 13½ per cent. of the total male population of the province consists of boys between the ages of 5 and 11 who should be educated. If we accept this proportion, then there must be 13½ per cent. of the total female population of the province who ought to be educated. Now, the number of women, i.e., the total female population of the province was 2,25,44,314 according to the census of 1921. The total number of girls between the ages of 5 and 11 who ought to be educated comes to something like 30 lakhs. We find from this report on Public Instruction that the number of girls receiving secondary and primary

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education comes to 65,996. This means that there is something like 29½ lakhs of girls who ought to be educated and the total expenditure of the Government on female education of all kinds, including English education, is, according to this report, 6,47,063. We cannot believe that the expenditure on female education will increase in the next year, I mean in the year of which we are considering the budget, for this reason, that we find that there has been a good deal of reduction in the educational budget. For instance, I find that the recurring grants to district boards have been reduced by Rs. 53,000 and odd; the recurring grants to municipal boards have been reduced by Rs. 30,000 and odd, which means that there is a reduction of Rs. 83,000 and over in the grants to these bodies for educational purposes and that there is not such chance of expansion of female education. On the other hand, Sir, the total European population of this province is 25,161. The total number of Europeans on the rolls of various institutions is 5,907. It cannot be that the total European population which can go to schools would possibly be more than 10,000. It cannot be so much even. Yet the Government wishes to expend Rs. 8,24,110 on European education. This means an increase of Rs. 14,170 over last year's budget. I hope honourable members of this House have grasped the full significance of these figures. A little over 6 lakhs to be spent on female education when there are 29 lakhs to be educated and over 8 lakhs to be spent on European education when the number of those who ought to be educated could not possibly be as much as 10,000. These figures, Sir, are significant. That is why I call this budget symbolic. These figures are symbolic of our present political condition—the political bondage under which we at present are. On no other reason could we possibly explain these figures.

There are things in this budget which ordinary men like me cannot understand. On many occasions we have moved resolutions about the physical culture of people, of physical education of boys in schools and of young men in colleges, the general physical development of the people, health and so on, and on every occasion, so far as I know, the Government has expressed its sympathy with the mover of the resolution. It has also expressed great solicitude for the physical amelioration of the condition of the people; but what do we find in this budget? Turning to pages 96 and 132, I find the grants to hospitals and dispensaries have been reduced by Rs. 10,000 and the expenditure on peripatetic dispensaries has been reduced by Rs. 1,000, contribution to local bodies has gone down by Rs. 40,000, development of indigenous system of medicine by Rs. 3,000. Grants for the promotion of physical culture seemed to go down by Rs. 15,000, but from supplementary figures here it appears that another Rs. 10,000 has been provided, still they have gone down by Rs. 5,000. The total comes to Rs. 58,000. Where the population comes to several crores, an amount of Rs. 58,000, or Rs. 60,000, may not mean much, but these figures show the way the wind is blowing. They show the spirit of those who framed this budget. Recently we accepted a resolution about providing female wards in hospitals. I do not know whether there is a provision here. I do not see how the resolution of the committee that was appointed in 1925 for improving physical education in schools is being implemented,

because personally I do not find any reference to that thing in the budget here. As I said the Government members have always professed a great solicitude for the physical welfare of the people, we cannot doubt that, but I cannot reconcile their professions with the provisions in this budget. As I said before, this is a feature of the budget which somebody else better fitted than I can explain.

But there have been increases in expenditure, I find, for instance, that there is an increase in the case of jails. Dietary charges have increased. I do not grudge the jail population the better food which they are apparently going to get. But simply better food will not do; it is the spirit that should animate those who are in charge of the jails that matters, and there is no evidence that that spirit is going to change in the near future. If a man, unfortunately, goes to jail it should be the aim of those who are in charge of jails to make him a better man than he was, so that he may be able to move in society like a respectable man. I do not see that there is any change in that direction. There is autocracy of every kind. Every Superintendent of jail is the lord and master of his own jail. There seems to be no system, there seems to be no policy, of ameliorating the moral and spiritual condition of the jail population.

There are many other things which I can mention but I would refrain, with the exception of one important matter, important because I believe it is something novel of its kind. I refer to an important experiment which is being carried out in the district of Muzaffarnagar. I mean the building of a new *mandi* there. We the members of this House are aware that Muzaffarnagar is a great trading centre. The volume of trade passing through the market comes to about 30 lakhs of maunds and their value is about two crores. The old *mandi* was in a congested area, very badly built and subject to rack-renting by a number of interested persons. The merchants wanted to build another *mandi* but vested interests stood in the way. However, in 1921, the Government helped them to acquire land near the railway station and a new *mandi* was built on it. The merchants have spent over 35 lakhs in building this *mandi*, that is why I say it seems to me a unique thing in this province. Those people who have vested interests and a good deal of influence in Muzaffarnagar prevailed upon the Government to include that *mandi* in the municipal area, because the *mandi* was not within the municipal boundary. The new *mandi* is there but there are no roads, no drainage, no lighting. The municipality has in force a toll and a terminal tax which is telling very heavily and is deflecting trade from the new *mandi* to other centres. The municipality has no money. It asked the Government to give it a grant of 2 lakhs and a loan of 2 lakhs. The Board of Public Health refused the grant. I do not find any provision for this in the budget. I believe the merchants have approached the Local Government to declare the new *mandi* a notified area, and they have promised to find the money for this purpose. But I think the Government is not taking any action. The result will be that this new *mandi* will be ruined and a new enterprise will be destroyed for nothing. Why should not the Government follow the policy adopted by the British Government in Ireland, when the North and the South could not pull together they were put under separate administrations on the understanding that when they became friends they could be allowed to join. Why should the Government

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follow the same policy here? Why is not the new *mandi* allowed separate from the old town and if and when they two become friends in future they can be allowed to come under one administration? This policy of dilatoriness on the part of Government is ruinous.

I have no grievance to put before the House, but I have some difficulties which I hope somebody will clear up.

I have had a great deal to do with budgets in the past and I thought I understood the system on which revised estimates were prepared, but there are certain things in this budget which I really cannot understand. I shall give an example. For instance, on page 106, I find under Education—pay of establishment (Training Colleges) Rs. 10,712 budget estimate for 1926-27 and Rs. 11,556 budget estimate for 1927-28. This is reasonable, one can understand this, but somehow or other the revised estimate became Rs. 45,850. How can this be? Again, the same thing occurs under Supplies and Services. The budget estimate was Rs. 42,410 but the revised becomes Rs. 2,000, while for the next year it is Rs. 41,340 which one can understand. Similarly, under Government Intermediate College the budget estimate for 1926-27 is Rs. 5,630 under supplies and services, for the new year it is Rs. 5,184. That one can understand, but it becomes Rs. 800 as revised.

There is one other difficulty of mine. In this budget I find on page 6 under Education the voted demand is Rs. 1,72,04,464 and the non-voted Rs. 4,27,000. The total comes to Rs. 1,76,31,464, but in the memorandum that is before us the figure is given as Rs. 1,76,20,464. I have not been able to follow this figure. The two figures do not tally and there is a difference of Rs. 11,000. I hope somebody will explain this.

**Mr. E. A. H. Blunt:** May I clear this point? This difference of Rs. 11,000 is the refund which is shown as a deduction from revenue.

**Nawabzada Muhammad Liaqat Ali Khan:** The Finance Secretary in his speech on March 6, 1924, said that the budget was an awful thing. It was an awful thing to prepare, it was more awful to explain and most awful of all to understand. I think, Sir, a greater truth has not been uttered in this House. I quite agree with him that it is the most awful thing to understand and for a layman like myself, it is not possible, it is not practicable, to trace all the white elephants that may be disguised as either tools or implements in the budget. However, I propose to discuss this from the point of view of a layman.

Taken as a whole, the budget is anything but satisfactory. There is a deficit of 39 lakhs. There was a deficit last year and again we find a deficit this year. The appearance of a deficit in a budget year after year is not a matter of congratulation to those who have anything to do with the finances of these provinces. There is a well-known axiom "cut your coat according to your cloth." Evidently, the honourable members on the treasury benches do not believe in this. They believe in having long enough coats to cover the body of a top heavy administration no matter if the others have to go with out. We would not grudge them these long coats if something could

be done for the naked millions. When we think of millions in the villages going with half a meal and that only once a day, when we think of thousands in these provinces without any means of subsistence or any hope of employment, when we think of the hundreds of educated young men begging for jobs from door to door; when we think of the thousands that die every year for want of proper and adequate medical relief; when we think of only 4.4 per cent. of the total population in schools and only .4 per cent. of girl students provided for, when we think of 15.5 per cent. of the culturable land lying uncultivated in these provinces, we come to the conclusion that the money, and such a lot of money, spent on the general administration of these provinces is so much money wasted, and it is nothing but callous extravagance.

We are not permitted to criticize effectively or alter this state of affairs, as under the constitution more than 20 per cent. of this expenditure is non-voted, and about the remainder the plea—the false plea—of efficiency—is brought forward. The practice seems to be that the reserved departments appropriate a certain part of the revenue and whatever is left over is given to the departments that are called nation-building departments, and the result is that the transferred departments do not get enough and are not able to carry out any beneficial scheme. Whenever a resolution of public utility is brought forward in this House, the reply from the Government benches is invariably the same....that is, "if funds are available, when funds are available." If the present policy continues, I am afraid the funds will never be available for any beneficial schemes! Even the money that has been remitted so far by the Imperial Government has not been spent wholly on the transferred departments. Thirty per cent. of it was spent on the reserved departments; nearly 22 per cent. was spent on debt charges; and less than half was allotted to the transferred departments and, as has been pointed out by an honourable member who spoke before me, even some of this, less than half, was spent on buildings connected with the reserved departments.

When we go into the figures of the budget closely, we find that the deficit in the budget is not due to any increases in expenditure under the heads of transferred departments but the increases are under the heads of Governor's and Secretariat establishments (which come under General Administration), Police, Jails, and Stationery, while the decreases are under Education 11 lakhs, under Agriculture, Veterinary and Co-operative Rs. 1,73,000, under Medical Rs. 26,000, under Public Health Rs. 21,000, under Industries Rs. 18,000. On top of all this a demand of fifteen lakhs is made to provide for revision of salaries based on the Lee Commission's report, while merciless cuts are made in grants to universities by omitting the grant to Aligarh University altogether and by reducing the grant to the Lucknow University by two lakhs.

Sir, more money should have been provided for co-operative consolidation of holdings, propaganda for the Co-operative department, grants to universities, to agricultural experiments and demonstrations and agricultural schools. This could easily have been effected if the Government had practised a little economy on the reserved side. They could easily have done this either by abolishing the posts of Commissioners

[Nawabzada Muhammad Liaqat Ali Khan.]

or reducing their number as was so strongly recommended by this House.

Sir, the honourable member for Allahabad University has discussed the debt question very minutely and I need not go further into it. But by way of a passing remark I would like to point out to the Hon'ble the Finance Member that the principle involved in the following sentence of his statement is a very wrong and dangerous principle. He says:—

“Our debt charges are nearly one-eighth of our total expenditure and have not quite reached their maximum.”

It is a very dangerous and ruinous principle to follow. Debts are debts and they must be strongly controlled. While productive debts may be repaid by fresh debts, unproductive debts should be repaid by surplus of income over expenditure.

Sir, the honourable member who just spoke has referred to the dispute or difference of opinion between the people of Muzaffarnagar and the people of the new *mandi* there. His chief argument is that because the two cannot agree therefore they should be separated. Most of the people who have built the *mandi* there do not come from either that district or from these provinces; they are outsiders. We might as well say that because a negligible section of the House does not agree therefore we should build a separate Council chamber and have a separate President and separate government and everything separate.

**Babu Bhagwati Sahai Bedar :** They do have.

**Nawabzada Muhammad Liaqat Ali Khan :** I do not understand what the honourable gentleman means. However, Sir, if the Government decide to separate the *mandi* from the old town, the result will be that there will not be any municipality at all; both the new *mandi* and the town will become notified areas.

Unlike the other honourable members I reserved my congratulations for the concluding portion of my speech. Now that I have discussed the gloomy side of the budget, let me point out that there is a silver lining to it as has been revealed by the Hon'ble the Finance Member in his budget statement. In doing this, I follow the old Persian saying:—

عیب ها جمله بگفتی هنرش نیز بگو

Sir, the happiest feature is the remission of the provincial contributions by the Imperial Government and our grateful thanks are due to them. This will turn our deficit into a good surplus and I hope that the Hon'ble the Finance Member will give the whole of this surplus to the transferred departments. We are told that there are seven settlements in operation and when they are completed, they will add considerably to our revenues. Then, Sir, it has also been pointed out that the Sarda canal will begin to earn revenue from 1930. It is also very pleasant to read in the statement that “the fall in excise revenue continues and we must now accept the position that no recovery is likely.” I hope this present fall will continue to the extent that some day there will be total prohibition in these provinces.



Our grateful thanks are due to the Hon'ble the Finance Member and the Finance Secretary for the pains they have taken in the preparation of such an awful thing as the budget and especially to the Hon'ble the Finance Member for making such a clear statement of the financial position of these provinces. If I have made any mistakes in the understanding of the budget, I must admit that the fault must be entirely mine as the Hon'ble Member in charge had explained it as best as one could.

**Raja Kushal Pal Singh:** It affords me very great pleasure to tender to the Hon'ble Finance Member my respectful and sincere congratulations on the highly satisfactory budget he has presented to us and on the lucidity of his exposition. As the custodian of our provincial finances Sir Sam O'Donnell has been an unqualified success. He has discharged his duties with an honesty of purpose and regard for public welfare which deserve the highest commendation. My only regret is that this will be the last of the budgets framed by our brilliant Finance Member. Though I am generally satisfied with this year's budget, there are some items regarding education and agriculture which have greatly disappointed me. I notice, Sir, that while the universities of Lucknow and Allahabad have got generous grants; the former Rs. 8,87,873 and the latter Rs. 6,81,507.

**Rai Bahadur Babu Vikramajit Singh:** Not more generous than they need.

**Raja Kushal Pal Singh:** The university of Agra which will come into force from the first of July and which will serve at least eight big colleges of our provinces has been given a petty sum of Rs. 35,000 a year. In the matter of grants to non-Government Arts colleges, Government, I fear, has been equally ungenerous. The total grant to these colleges, which last year was Rs. 4,35,000, stands this year at Rs. 3,64,860. Is it not deplorable, Sir, that for higher education at Agra, Bareilly, Meerut, Cawnpore, Gorakhpur and for the maintenance of the Agra university Government have not granted even half the amount which they have sanctioned for Lucknow alone. All these non-Government arts colleges and Agra university taken together get only Rs. 3,99,860, whereas Lucknow alone gets Rs. 8,87,873. Some of the non-Government arts colleges are badly in need of funds, and unless Government comes forward generously to help them they will be in a most unfortunate plight indeed. As one who has the privilege of being one of the trustees and members of the governing body of the oldest and the largest college in the United Provinces I know, Sir, how private colleges are at present handicapped owing to inadequate Government grants. I specially beg, Sir, to invite the attention of the honourable House to the case of Agra college. A small adjustment to the annual grant paid to this college by Government will greatly improve matters and very much increase the undoubted utility of this institution. The endowments of the college are derived mainly from the estate of Pandit Gangadhar Shastri, who died in 1813. The revenue is derived from three sources: from villages in the district of Aligarh.

**The Hon'ble the President:** I am sure the honourable member does not want the House to go into the whole history of the Agra college.

**Raja Kushal Pal Singh:** With regard to primary education I regret to note, Sir, that the grant for it this year has been appreciably cut down. As a matter of fact there has been a reduction of Rs. 4,29,000.

[Raja Kushal Pal Singh.]

which includes both recurring and non-recurring expenditure. This reduction is deplorable and, I fear, will accentuate popular discontent. The provision for agricultural experiments and demonstrations has been reduced from Rs. 1,55,950 to Rs. 1,25,100. When Government themselves are of opinion that a well managed and successful farm is one of the most effective ways of demonstrating improved methods of agriculture, the action of Government in reducing the provision in the next year's budget seems to be wholly unjustifiable. With all the emphasis I can lay on it, I implore the Government to make adequate provision for agricultural experiments and demonstrations. There is one more matter, Sir, to which I should like to invite the attention of Government, Raja Badan Singh of Bhadawar who lived about the middle of the 17th century constructed an embankment and thereby changed the course of the river Jumna. The Batesar fair is held on the old bed of the river Jumna. This embankment was badly damaged in the floods of 1924. The bottom of the embankment has been corroded by the action of water to such an extent that necessary repairs have become an urgent necessity. If these necessary repairs are delayed, it is apprehended that the fair ground will be completely submerged under water very soon. In view of the importance of this fair and the sanctity of this place of pilgrimage I would earnestly request Government to find money for the necessary repairs. I trust, Sir, that this matter will receive serious attention.

**Raja Sri Krishna Dutt Dube:** I am not going to make a long speech now, for almost all the points of importance have been discussed by other honourable friends. I must congratulate the Finance Member for introducing the new system of accounting. But it is not pleasing to me to see that there is a deficit of 39 lakhs. Last year there was a surplus of 65 lakhs according to the statement of the Finance Member. However, as he says, this sum was further reduced to 15 lakhs and that sum was also swept away by the Lee Commission. I do not find that there is any extra expenditure this year or cause for revenue not being collected, but I find that there is a deficit in the budget. The Agricultural Commission will come and I cannot say what will be the result: probably it will also create an expenditure of at least a few lakhs in the Agricultural department. This 15 lakhs was only provided for the salaries in the reserved department, and if this Agricultural Commission will also result in the same way as the other Commission then more expenditure will be created. I find that there is enormous cut in the transferred departments which I do not find in the reserved. It is impossible for me to understand that all the calamities come only to the transferred departments. All the cuts, all the economical measures are in the transferred departments. No big scheme of education or agriculture or industries has been undertaken on account of shortage of money in the transferred departments. I cannot understand why this provincial contribution has been put down in the budget when the Central Government has extended its generous hand to remit the whole of the contribution this year. Was it not possible that a square budget might have been shown instead of a deficit and what to say of a surplus budget. It seems to me that it is a very easy thing to put down figures in the budget as any one likes. I would request the Hon'ble Finance Member to sympathize with the

transferred departments and to give the whole of the provincial contribution which has been remitted by the Central Government for the benefit of the public interest instead of giving it in the reserved side. I would request the Hon'ble House and Members of the Government benches to move very carefully in future otherwise the future is very gloomy to me.

With these few words I conclude my speech and resume my seat.

**Babu Uma Shankar :** The financial position of the province as disclosed by the Hon'ble the Finance Member is to me not only disappointing but rather gloomy. From the financial statement I find that there is a deficit of Rs. 39 lakhs; not only this, but that the people have to pay a debt of Rs. 25 crores. We also find that we are going to spend about half a crore on police buildings. I want to show that this province is not only backward but undeveloped, undeveloped in the matter of education, in industries, trade, commerce and agriculture. As regards education, I find that about 93 per cent. of the people are illiterate in these provinces, while in the Punjab only 92 per cent. of the people are illiterate, in Bombay and Madras only 85 per cent. are illiterate and in Bengal only 84 per cent. are illiterate. I find that this year only Rs. 1,76 lakhs is provided for education, while in 1926-27 about Rs. 1,87 lakhs was provided; i.e. this year about Rs. 11 lakhs less has been provided for education. Looking at the Budget I find that Government has been busy in multiplying Universities and in turning out graduates. I do not deny that turning out graduates may be a good thing in itself. It may be a good thing; but I put the question to Government: "What has the Government done as regards primary education? The Primary Education Bill was passed in 1918, but I find that the Act has not been enforced in all the municipalities or district boards. Then I see that the reserved departments are being overfed while on the transferred departments which are said to be the nation-building departments Government are spending only about Rs. 4 crores and something. That shows that Government are not only callous to the demands of the people but that they do not want to do anything beneficial to the people. Some might say: "Why are you reiterating your demands before this House again and again?" In reply I say simply, that though I am convinced that Government are impervious to the demands of the people, my object in reiterating my demand again and again before the House is not only to show to the people the hollowness of the Reforms but to expose and belie the professions of the Government that India is being governed with the consent of the people by a civilised Government. I simply ask the Government whether we are governed with our consent. I want to draw the attention of the Government to the report of the Economy Committee. What did the people want there? What do we want now? Why are these ten commissioners still in the cadre? Several times this question of the abolition of the posts of commissioners has been discussed on the floor of this House, but still what do we find? A commissioners' Committee was appointed and unanimously recommended for the abolition of five posts. Still we find that the commissioners are there. Not only this. The Economy Committee recommended the reduction of the post of deputy inspector-general of police, reduction in the posts of circle inspectors, the deputy commissioner of excise, the inspector-general of civil hospitals and several other posts such as the posts of

[Babu Uma Shankar.]

assistant superintendent of police and so on. But the Government has not paid any heed to the demands of the people. The result is that the Government has to incur debt every time and the tax-payer is taxed very heavily.

Now, I have to say something about the question of Indianization of the services. It has been said by the Government several times that they were going to Indianize the services very soon. But what do we find here? I do not find a single Indian commissioner. I do not find any Indian Legal Remembrancer or an Indian deputy inspector-general of police or an Indian inspector general of civil hospitals or an Indian inspector-general of prisons. Why is this so when Indians have been found fit to be appointed as home members, as presidents, as ministers and as high court judges? Why is it that Indians are not appointed as commissioners and legal remembrancers? Are not Indians fit to act as legal remembrancers and commissioners? I simply want to show that the Government does not want to give us real power sometimes. It says that Indians are unfit and hence cannot be given posts of responsibility.

In 1923, the Hon'ble Finance Member imposed fresh taxation and said that the money was wanted for the separation of executive and judicial functions. Now four years have elapsed and this question has been discussed several times and still I do not find the separation of judicial and executive functions.

I have already said that the Government is going to spend about half a crore of rupees on police buildings. When the High Court insists on grants for judicial buildings the Government does not treat their representations in the same way as they treat the demands of the police department. In my own district I know that the sessions and subordinate judge has been invested with the power of hearing civil cases, original and appellate and small cause court work. Still I find there is no building either for the judge or for the sessions court. In reply to certain questions that I put to the Government on the subject, I was told that no provision was likely to be made this year. In this connexion I beg to submit that when the tax-payer has to pay so much on court-fees, it is but meet and proper that he should be provided with a suitable building for the sessions and munsifs' courts. At present these courts are housed in *kachcha* buildings, with the result that people are put to a lot of inconvenience in the rainy season.

Lastly, I wish to add a word or two to what an honourable member has said about the new *mandi* of Muzaffarnagar. Sometimes the Government say that they rely on the man on the spot, viz., the district magistrate. In the present case, however, the district magistrate, Mr. Darling, recommended that the new *mandi* might be excluded from the old *mandi*. This recommendation I believe was also supported by the commissioner, but so far the Government have not seen their way to accept it.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Chaudhri Mangat Singh:** At the very outset I wish to express my inability of making a good speech in a foreign language. Still I shall try my best to express my ideas in this language before this Hon'ble

House. I belong to a village which lies on the border of the Saharanpur district and is inhabited by agriculturists. It will, therefore, be in the fitness of things if I speak on the subject of agriculture. All the inhabitants of my village are agriculturists, and the majority of them are indebted—not only the village is indebted but the whole district is so indebted. I am surprised to find that the Government is also indebted here and thus I see debt all around me, namely the village, the district and the Government are all indebted. The question is how to redeem this debt. First of all I would take up the question of agriculture. It is a well known fact that India is an agricultural country and 90 per cent. of its population lives on agriculture. I will show that the natural resources of the country are not enough for the maintenance of all its inhabitants. I have not sufficient time to give the statistics, but it goes without saying that the national food per head of this country is below 4 maunds, that the national income per head of the population is below Rs. 25 a year. It is clear therefore that the national income per head is not very much. In this income is included the income of the high salaried officers of Government. If you take the income of a villager, it will come down to Rs. 15 a year. The difficult question before the honourable members of this House, before the Government and before the leaders of this country is how to solve this question of national income. I ask the honourable members here whether a man can live on Rs. 15 a year. It is no doubt very difficult. But the poor villagers have to live on this paltry sum. As regards agriculture, I have got a publication of the Agricultural department, which throws light on varied activities of that department. This department was started—if I mistake not—in 1875, in these provinces.

But the question before us is whether this department has in any way alleviated the sufferings of the rural population; whether it has added to their material welfare. I speak of my own village. In 1833, not a single inhabitant of my village was indebted. In 1867 people were better off than now and it now appears that a great number of them are being reduced to a condition of helplessness and misery. Sir, this is a question before the Agriculture department and the solution of this question rests with us. Therefore the department of Agriculture has not done its level best to do what it ought to have done. There is no doubt that a few private farms have been opened and they are being financed by the Government. We find, no doubt, an indication in this report that seed has been distributed. But the question is how far the work of the Agriculture department has aided to the material welfare of the rural population. So, Sir, from an agricultural point of view the budget as it has been presented, is a disappointing one. I find in this budget a decrease of one lakh and some thousands this year. A resolution in the last month was passed on the floor of this House to the effect that we must take measures for the development of rural areas, cultivation, agriculture and so on. But there is no provision in this budget to give effect to the measures that were proposed in the resolution.

Sir, as regards co-operation, there is no doubt the indebtedness of the peasantry is a question of greater interest and the Government should lose no time in redeeming the debt of the peasantry. I speak of my own village. What is true of my village is true of the whole district and what is true of the whole district is true of all the districts.

[Chaudhri Mangat Singh.]

of this province. This goes without saying. There was no indebtedness in 1833, but now my own village, I am sorry to say, is indebted to the extent of one lakh of rupees. The area of my village is about 3,000 acres. Not more than two-thirds of this area is owned by the villagers, while one-third is owned by an outsider. This is a great problem which awaits solution at our hands. If we do not solve this problem, if the Government do not solve this problem, our condition may better be imagined than described. Information was elicited in answer to a question in the last session of this Council that there are some co-operative societies and it was also claimed that these societies have done consolidation work in the Saharanpur district. I come from that district, Sir, and I say that the work of the societies is not known to the villagers. It may be confined to a few ultra-loyal *raises* of the city, It may be confined to the officials there. It may be confined to those who banker after titles. But, Sir, I am sorry to say that so far as the rural population is concerned, co-operative societies' work in my district and the consolidation work, as it is claimed, have not been done there.

Sir, a few words about the veterinary department. It is a patent fact that thousands of cattle die of epidemics. I was in the company of Mr. David, Officiating Superintendent of Veterinary department, some two years back and he regretted that he could not supply serum for inoculation and said that he had written to the Government, but no serum was supplied. After some months I came to learn that serum was received by him at a time when there was no epidemic in my district. So, Sir, I beg to say that so far as the Veterinary department is concerned, it is being starved. Sufficient money is not being provided for this department. Agriculture depends on cattle. If our cattle population is not sufficient, then it may be imagined how agriculture can improve. Therefore in this budget I think that sufficient provision has not been made for the veterinary department and more money ought to have been provided for this department. So far as Agriculture is concerned I would say that more money is being spent on Improvement Trusts and in other various ways but sufficient money is not being spent on this important subject which is the chief industry of the country.

I want to say a few words as regards the department of police. I want to make it clear that I belong to the Gujar community, a community which was supposed to be a criminal tribe till so far back as 1906. But, thank God, I have not been now classed as a criminal tribe, and I may say that I am the only member of my community who is a member of the provincial legislature. My community numbers six lakhs, but not a single member is employed in the provincial or judicial service. In the police department there are only two sub-inspectors. My community supplied 20 thousands recruits combatant and non-combatants in the great war. We sent several representations, but sufficient heed was not paid to them, it may be owing to the fact that there was nobody to represent them. I am not an advocate of communal representation, but I must watch the feelings of those who sent me here.

In my district there are two special police forces; one is working under Mr. Young and the other under Mr. Coulton. Mr. Coulton is

Superintendent of Special Cattle Theft police, Mr. Young is in charge of the Special Dacoity police. Mr. Coulton I know is doing very useful work in these districts. The two sub-inspectors of my community are also serving under him and I also take an interest in his work. It may be said to his credit that criminals have been weeded from this district, but so far as the special dacoity police is concerned there are some grievances. These grievances are that the people are detained in jail without any trial for an immeasurable period of time. Some of them have not even been brought to trial for the last 6 or 7 months. As regards other grievances my district is not an exception, but so far as the work of Mr. Coulton is concerned I have already expressed my views.

As regards sanitation, I find in this budget that for urban sanitation a provision has been made for Rs. 6,90,000 and odd, while for rural sanitation a provision has been made only for Rs. 1,90,000. What a vast difference! We know that the population of these districts is 47 millions, about 40 millions or 3 crore 50 thousand live in the villages. Look at the vast difference—a paltry sum of Rs. 1,90,000 for 3 crores 50 thousand souls, while a sum of Rs. 6,90,000 for urban area. I put it to the Government whether or not the rural population has been made to suffer while the urban population has been favoured at the expense of the rural population. I regret to find that sufficient attention is not being paid to the rural sanitation. A greater sum ought to have been provided. I say even a crore would be insufficient for the purpose of rural sanitation.

As regards the Public Works department, I wish to draw the attention of the Government to the fact that the condition of the roads in my district is very deplorable. There is not so much complaint as regards the roads under the Public Works department, but so far as the district board roads are concerned they are in a very deplorable condition. Some three or four years back the district board of Saharanpur launched on a scheme to metal the road from Nakur to Gangoh, but up to now only one mile has been completed.

A few words about the honorary magistrates and I bring my speech to a close. It is the first time that something is being said about the honorary magistrates of my district on the floor of this House. I can say from my personal experience that a few honorary magistrates are such that they cannot write the judgement themselves. A few of them can only sign their names and there is also a number who have not done any work at all, still they are supposed to be honorary magistrates. I also know that a few honorary magistrates in my district cannot write a good judgement in English, but still they pretend they can write. They get their judgements written by others. So the system of appointing honorary magistrates is very unsatisfactory, and I throw out the suggestion that in future the Government should select only those persons who enjoy the confidence of the public. I come from Saharanpur and a reference has been made by the honourable member here to the Muzaffarnagar *mandi*. I also favour the idea that it should be separated from the municipality of Muzaffarnagar.

**The Hon'ble the President:** We have already heard a lot about *mandi*, which cannot be allowed to monopolize the attention of House.

**Chaudhri Mangat Singh :** There are a few suggestions which I want to make. The suggestions are that in the Agricultural department only those men should be recruited who are interested in agriculture and preferably from an agricultural community. So far as the co-operative movement is concerned, it would be advisable if the Government were to take men from agricultural communities because they would be in a position to spread the knowledge of the co-operative movement among the masses who would benefit immensely by it. The same suggestion I wish to offer as regards the Agricultural department. In this department also those communities which are purely agricultural should be allowed more latitude and should be allowed more opportunities of serving. At the very outset I made clear that I am not an advocate of rural representation, but so far as my community is concerned I have also to watch its interests, and I hope Government will pay more attention to my community because they deserve some consideration. With these words I bring my speech to a close.

**Shaikh Muhammad Habib-ullah :** I wish I could give a cordial welcome to the budget introduced by the Hon'ble Finance Member and speak of it in the same eulogistic terms as were used by my friend Raja Kushal Pal Singh, but, Sir, as explained by other honourable members, the budget is a gloomy one and no doubt the Hon'ble Finance Member has the credit of placing it before us in a very lucid manner and in as simple and businesslike form as possible for any amateur to understand.

As far as the financial policy is concerned, I am not in a position to discuss nor will I touch that aspect of the budget which affects the general financial policy. I will confine myself to such remarks about the budget which refer to the subject with which I am personally concerned and have intimate knowledge. I am connected with the Lucknow University and I must say that so far as the treatment of the university is concerned, I feel greatly disappointed. The Lucknow University has been referred to by two honourable members just now. One of them said that we have lost two lakhs, which is incorrect. The other gentleman said that we were generously treated. This is still more incorrect. What we are suffering from is the want of nourishment. We are a young institution, we have started only six years ago and without nourishment we are on the verge of starvation and death.

A brief history of the University of Lucknow is that it was started in the year 1921. In fact the Act was passed by this very Council. I mean the Reformed Council and it was conceived under very favourable circumstances. The Governor of these provinces was then Sir Harcourt Butler, a great educationist, not only because he comes from a literary family, but because he had the advantage of holding offices in India which gave him an insight into the educational problems of the country. This Council had the advantage of the advice of such a Governor and they had the collective wisdom of the Commission which sat for the Calcutta University. Acting on their Governor's advice and benefiting by the wisdom of this Commission, they decided upon establishing a University in these provinces called a unitary teaching and residential university. This was a new experiment for this province. To start with, it promised very well indeed. We understand that not less than a lakh and a half was spent for the plans and estimates. Of its buildings



of course, these things had to be given up because they were found afterwards from experience to be impracticable. Then we started preserving the old Canning College building as a nucleus for our university accommodation. After all, the Canning College was a college and the University is a University, and with the expansion of education and different faculties, those buildings were found to be absolutely insufficient.

We wrote up to Government, we asked from year to year, but nothing was done except last year when we told them that it was a disgrace not to have our science laboratories and they at last made the first instalment of this grant of Rs. 50,000, and the balance which I understood we will be getting now. But of course it does not find a place in the budget; we are only living on hope.

In the same way we find that our Zoological department which has produced brilliant students is not well provided for. I assure you, Sir, that one of our research students sent in his essay which has been highly commended by the professors of Oxford and Liverpool universities.

**The Hon'ble the President :** This is all very interesting no doubt, but may I point out to the honourable member that if he goes on in this way, he will take up all his time.

**Shaikh Muhammad Habib-ullah :** I want to tell you, Sir, how we are starved. We are asking for money but no money is forthcoming. I will cut my speech short by saying that we cannot put up with this sort of thing. Coming to the Medical College now which is controlled by the General Medical Council of Great Britain and Ireland. The General Medical Council threatens us :—" If you do not improve this branch of your education, we will disaffiliate you; we will disrecognize you." We wrote up to the Government and said that we wanted a pathological museum but we did not get a response. The result is that we had to draw upon our capital, we have to borrow money. When we see the budget, we do not find a provision even for this object. We are face to face with another difficulty in the Medical College. We have no maternity hospital. We send our students to Madras; the Madras Government have told us that there is no further accommodation available. This year through the intervention of the Government they have given us a concession for one year, but, next year we have got to teach our students here and there is no accommodation. What would be the result? Does that portion of the Government which is in charge of the Education department think of treating the patients lying on the ground with one hand in the hands of a *hakim* and the other in the hands of a *vaid*? If this is the only care that is bestowed on us, if this is the only treatment which is in store for us, our universities are bound to starve. We have no money for objects of this kind; when we ask for money from the Government, it is not forthcoming. We certainly want money for the scientific education of our students. Such is, Sir, the state of the finances of the Lucknow University so far as administration goes.

Now, on the academic side, the story is of still greater woe. I wish I had time to explain it. Here, we have got practically the same staff with which we started six years ago; there can be no expansion without

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further staff. The Medical College has got only one surgeon; we have been asking for a reader but we cannot get him.

I am cutting my speech as short as I can for want of time. I will now refer to another subject which is also a great thing and of which I have got personal experience. You know, Sir, that nothing is better than what is required for the public good and for the pleasure of the public. In Lucknow we started a Zoological garden in the name of His Royal Highness the Prince of Wales. Everybody knows it. The Finance Member, when he is tired, takes a walk there; he sees it; he enjoys it; but he never thinks of providing funds for it. It was started in the name of His Royal Highness the Prince of Wales; we subscribed to it; we maintain it; but the great men of the Government all go there; enjoy it, but do not give a penny for its maintenance or for any other purpose connected with it. It is a great shame for a first class province like the United Provinces not to have a zoo which is not only a pleasure ground but an instructive institution. I hope that the Government, now that they have got this silver lining to their budget, as was just said by the Nawab Sahib, will give us money both for education and for the zoo of Lucknow.

**Pandit Badri Dutt Pande:** Being new to the conventions of this House and not polished in the art of diplomacy, I regret I cannot congratulate the Hon'ble the Finance Member; for the budget is not a poor man's budget; it is the same autocratic and bureaucratic budget; it does not give consolation to the poor villagers of whom I am a representative. I come from the villages and I know what the condition is there. I know that so long as we have not got a constitutional governor, so long as the treasury bench is not removable by our vote, there is no charm in the budget until and unless it is made by Indian brains with due regard to India's needs, and not with regard to what is happening in England or to what is happening in Australia, but to what is happening in India, to what is happening in the United Provinces. There are so many who are starving, there are so many who do not get any meal. We are crying for university education when there is no education in the villages, when there are no roads, when there is no sanitation. There are flies all about. I may mention here that in the department of Public Health one rupee is given to the cities while one pie is given to the villages. The figures are shown by the Department of Public Health in the exhibition that is being held in the other building. Every member can see them. So I regret that I cannot congratulate the Hon'ble the Finance Member on his deficit budget. I thought that as it was his last budget and as he would be going to England, he would do something striking, that he would give a cheque of one crore to each of the three Ministers and say:—"Look here! Here is one crore for each of you to be spent on the nation-building departments; I am going away and you people will remember me gratefully for it." I thought he would do like that, but he has not done anything. Now that we are getting about a crore and a half from the Government of India as remission of our provincial contribution, I hope he will give the same to be spent on the nation-building departments, to be spent for the benefit of the villagers and not make it over to those who have got plenty, who have got their whisky and soda, who have got their electric lights and

fans, who have got their motor cars and so on. I hope he will make that amount over to the poor villagers who do not know what you are doing here, what we are doing here, what are these councils. Allot this money for the poor people and then you will deserve their thanks. Till then I am sorry I have no congratulations to offer and I cannot give them.

I come from Kumaun. We have certain grievances. We have been very badly treated in Kumaun. We have been treated as outcasts, and as depressed classes. A lot of money comes to the Government from our forests. We have permanent grievances there: We have no roads, there is no proper road to Almora; we want a cart road from Kairna to Almora. Now we have to go over 80 miles, via Ranikhet. Sir John Hewett sanctioned this cart road; he made an allotment, but I do not know why that road has not been constructed up till now. What has become of that money? We do not know whether it is in the treasury, whether it is in the budget or somewhere in the figures. There is a story which I hope the House will pardon me for repeating. There was once a village school master. He was just trying to find out whether his son knew a little English or not. He gave him a copy of the budget; the son read it "the bud-get of so and so". It is really a bud-get and not a budget. Unless we get money for the nation-building departments, it is not a budget but bud-get for us.

Kumaun division is still called a scheduled division, a division of criminal tribes. There are no munsifs and sub-judges. We have been reminding the Hon'ble the Home Member year after year to redress our grievances in this respect by appointing a few sub-judges and munsifs. There are four deputy collectors at Almora and people have to go all the way from the Himalayas to Almora for their cases. When they reach there, they find that the deputy collector concerned is out on tour and they have to return home disappointed after travelling 50 miles or more.

We have railways, motor-cars and ekkas, etc. here in which we can go, but the difficulty is that we cannot have these things in the hills. The Home Member now lives in the hills and he must know what the difficulties are there about transport. The Collectors have got much to do and have practically no time to do case work. They remain in camp in the hills and they have to see to lots of things. They have to decide lots of appeals and the result is that at times 100—50 appeals are dismissed in a day and the poor men know not what to do. There are also petty cases and the litigants cannot afford to go to the High Court for these petty cases. So, I think, now is the time that munsifs and subordinate judges should be appointed in Kumaun and it should not be called a scheduled tract. The other grievance is that there should be hereditary patwaris and hereditary padhans. Even if you cannot dismiss those hereditary patwaris, then do not employ them in the very patti in which they reside. I put a question in this connexion and I regret that absolutely wrong information was given to the House that there are no hereditary patwaris. There are hereditary patwaris in Askot, the Rajbars are the hereditary patwaris in their pattis and there are three hereditary patwaris I believe in Danpur and inquiry may be made to this effect. You may favour those patwaris but do not appoint them in the patties of which they are the residen

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Then there is the case of Sirtans. The Agra Tenancy Bill was not extended to Kumaun. The Sirtans' fate is very serious; they can be turned out any time. I think that requires investigation, especially in Askot, where forced labour is still taken. It is no use saying from Geneva house tops that there is no forced labour in India; while it is (like Johnnie Walker born in 1820) still going strong in Askot. In Kumaun the people themselves abolished coolie utar and forced labour, but in Askot the conditions are different. There the people have grievances regarding *benap* land and Rajwar Sahib impresses articles of food in this 20th century as follows:—Ghee at 3 seers a rupee, rice at 24 seers a rupee, wheat at 30 seers a rupee, barley at 60 seers a rupee. He does so under threat of ejectment. I hope inquiry will be made into it. He impresses these articles of food at these rates under compulsion, under threat of ejectment. I am an enemy of *begar* system and I have suffered for it; I am still ready to suffer for it. That is why I want that this civilised Government should inquire into these grievances and find out whether they are just or not. Everything is going to the Police. This is United Police Department budget not United Provinces budget, because the Police in 1924 got 1,34,81,800; in 1925 it got 1,35,71,633; in 1926-27 it got 1,61,79,909 and this year the provision is 1,62,94,693. There is a mistake of 4 or 9 in the figures here and there. The expenditure has been increasing in the Police department while it is decreasing under education. In 1925-26 it was 1,78,61,927; 1926-27 it was 1,84,33,000 and this year it is 1,76,31,464. So expenditure on education is decreasing while on police it is increasing. Thus everywhere we are ruled by the police. All over there are wine shops but there is nothing to raise our status. If you want to introduce liquor into this country raise our status also, raise the standard of our people also.

There they earn Rs. 300, nobody earns less than that, they know where they are, they know what Government is, they know what politics are. The villager here does not know anything, and you establish wine shops and don't give any education or employment—I think it is criminal. Only 29 per cent. of the police are literate. I think it is criminal to employ constables who are not well read. Vernacular passed people are not getting employment. I think you should employ them. When there is only 29 per cent. of literacy in the police, how can you expect them to do their duty. This is why they ill-treat people in the streets. Our standard, when it is to be that of English police? I think you must educate them, pay them fairly and teach them good manners so that they do not misbehave with the people outside.

The treasury of every district is located at the headquarters but our treasury at Almora is in a cantonment, in Ranikhet. Other treasuries are at headquarters, and they ought to be, but I do not know why it was removed from Almora and placed at Ranikhet to the inconvenience of the people. Then there are the Bhotia people living in the Himalayas they find that they have to pay cattle revenue, that is revenue for keeping cattle. I do not know why. It is realized nowhere. They have practically no land, they are traders, and they have to pay grazing dues as well as cattle revenue. I do not know under what law this is done. Why don't you take this revenue from the Banjaras of Haldwani? Why charge from these simple traders? I think this tax must go. It is

a small paltry sum. They have a grievance because they are traders and have to go over to Tibet to bring wool, and if they did not there would be no woollen mills at Cawnpore. They bring wool from Tibet and Lhasa, and they are charged cattle revenue. I think that in this twentieth century such a charge should be abolished.

There will be demands for money for the Hindu University and the Lucknow University and others, when the poor villagers do not even know the three R's. There are lots of Universities. What are Government going to give these numerous graduates? Unemployment! Unemployment!! Unemployment!!! Everyone is saying give me appointment, give me appointment—recommendations from Raja Sahib, Nawab Sahib—what is the use of all this education when there is no employment—what is the use of M.A's and all these graduates when the villagers do not know even the three R's? You talk of Burke and of those people, Milton, and the poets and politicians—what is the use? They do not know what you are doing here. The Maharajas and others can take care of themselves. Give to the poor villagers, then God will be gracious to all of us. Then there are the village school masters—they are getting only Rs. 12. A coolie gets Rs. 30—peons get Rs. 12. I am a poor man and I know what poverty is—those treasury benches do not know, for they have their whiskies and cigars and all that. I know, I have been a poor man and I know what it is to have no second meal some days. So I plead for the poor man—give to the poor man not to the rich. This year it is a deficit budget, but even if you have a surplus, give, I would say, to the Finance Member, give more to the nation-building departments and earn their gratitude in his retiring days. Then we will remember him, otherwise so many Finance Members come and go, no one knows—but he should do something striking—otherwise in this dyarchy there is anarchy and we are not getting anything. We have got Reforms and these Councils, but we are not getting satisfaction; the villagers are not satisfied, the graduates are not satisfied and nobody is satisfied. The village people are simple, they do not want much, and it is not possible to satisfy people who want collars and motor-cars, etc., easily, but the village people are satisfied with very little. I won't take much more time of the Council. There is only one question I have to say about and that is the naiks. We have a Bill about them and our gallant Home Member is sitting tight over it. We have reminded him time after time and he will not move the Bill. I hope he will bring the Bill this session or give me the Bill and I will move it. He has kept it for so long. I hope he will not delay it now.

**Pandit Bhagwat Narayan Bhargava:** It is but natural that the Government should express its jubilation over the present condition of the people and over the future of the province. It is simply to advertise the so-called advantages of the British Government far and wide in the world that these jubilations are expressed in opening speeches of the Finance Member. From the point of view of the people I think the situation is going from bad to worse, especially in the matter of the increase of power of the people and the legislatures. The Finance Member in the Legislative Assembly when he presented his first budget after the Reforms said it will be under the mandate of the legislatures that we shall incur any expenditure. I am not concerned at the present moment whether this policy is being followed there or not, but certainly this policy is not being followed in this provincial Government.

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If we will refer to the figures given in the budget and also refer to the figures of the previous budgets we will find that reserved expenditure is increasing and transferred expenditure is decreasing. Voted items are decreasing and non-voted are increasing. In the year 1926-27 the reserved expenditure amounted to Rs. 11,37,50,609. In this year we find it to have gone up by about 24 lakhs, it is Rs. 11,51,69,396. And the transferred expenditure has gone down, has been going down I should say, for some years past. Non-voted items have this year increased by 33 lakhs. This year they have made a provision for non-voted side for 4,75 lakhs. It is even more than that which was provided in 1923-24 or 1924-25 or 1925-26. It has been constantly increasing, while the voted items have been decreasing. In 1925-26 voted expenditure was 11.27 lakhs and some thousands. Now it is only 10.88 lakhs.

In this way the power of the legislature is being curtailed. We are not allowed to vote on several crores of rupees which are spent out of the taxpayer's money. This year we find that new expenditure on "costs of passages" has become non-voted and the amount under that head comes to some lakhs of rupees. "Travelling allowance" which was till now voted has become non-voted in respect of those officers whose salaries are non-voted. Several posts the salaries attached to which were voted up till now have become non-voted. In the district executive force, in the railway police, in the Public Works department and in the department of Administration of justice several posts have now become non-voted. In fact, two non-voted posts have been newly created in the department of Administration of justice. So, in this way we find that our right to vote money for the expenditure of the Government of the province is being curtailed.

During the short time I could get to see the Budget I find that condemnation of the verdict of the Legislative Council is writ large on the Budget. Several resolutions which were passed by the Council and several recommendations made by various important committees on which both Government and the people's representative were represented have been discarded by Government, and the Budget stands unaffected by them. I remember that several times we passed resolutions in the Council for the abolition of Commissioners; we have passed resolutions about the reduction of expenditure on several other posts; the abolition of several districts and tahsils was recommended by the Economy Committee; reduction in the pay of the Executive Councillors was also recommended by them; but we find that none of these recommendations have yet been carried out. What we find is that the expenditure on the reserved departments has increased, in some departments by lakhs and in others by thousands, while for the transferred side we are not getting sufficient money; rather the provision for most of these departments in this budget is less than what it was last year. If we refer to the department of the Administration of justice we find that since 1922-23 the expenditure has been steadily increasing. In 1923-24 the expenditure was Rs. 66,76,676 and since then the expenditure has been increasing. In 1923-24 it went up by two lakhs; in 1924-25 it again went up by more than a lakh; in 1925-26 it went up by about three lakhs; in 1926-27 it again went up by three lakhs and so on.

If we refer to the expenditure on the Police department we find that it has increased this year by about two lakhs, and if we compare the

figure for 1923-24 we find that it has increased by about three lakhs. Similar is the case with the General Administration department. There in the year 1923-24 we had Rs. 1,24 lakhs; and this year it is Rs. 1,30 lakhs.

**Mr. E. A. H. Blunt:** May I ask the year he is referring to?

**Pandit Bhagwat Narayan Bhargava:** In regard to General Administration I quoted the actuals of 1923-24.

Over and above that we find that a very large amount is being spent on buildings of these reserved departments. In the Police department we had that since 1924-25 we have spent on police buildings Rs. 42,78,556.

You will be surprised to know that, during the next three years, the Government want to spend on police buildings Rs. 45,25,000. The Government want to spend during the next three years on buildings of the reserved departments about Rs. 95,00,000 and on the transferred departments only about Rs. 36,00,000. So most of the income got out of the pockets of the tax-payer is going to the reserved departments and not to the transferred departments. If we see the figures for the transferred departments we find that in some of them, education being the most important, expenditure has been reduced. If a few lakhs are increased on the provision for the transferred departments Government comes forward and says: "Look here, these are our substantial achievements." The Hon'ble the Finance Member was pleased to say in his speech that these were the substantial achievements. Let him congratulate himself on these achievements, but as far as we are concerned, Sir, we think that if a man who has been starving for months and months is given a few slices of bread, that will not satisfy him and he will not be able to live much longer on that. I do not think anybody will feel jubilant over the fact that for a man who has been hungry and thirsty for days together, a few drops of water, 10 drops, 100 drops or even 1,000 drops will be sufficient or appeasing. You cannot call them substantial achievements. The Hon'ble the Finance Member says that under education 38 lakhs more than what has been provided in the year 1922-23 has been provided this year. I do not see that it is any matter for satisfaction. I think honourable members of this Council would like to know what the expenditure on police was in 1922-23 and what it is this year. It is more than what has been provided this year for education. I can give the actual figures. It is Rs. 1,73,35,141, i.e., more than what we are now getting for Education after six years of reforms.

Coming to the education department we find that in both the reserved and the transferred side non-voted items have increased. I said in the beginning that the verdict of the Council is condemned by the Government. We find this sort of thing everywhere. We remember that in the last Council a resolution was moved by Babu Khem Chand on depressed classes education. It was withdrawn simply on the assurance of the Government? What do we find in the budget of this year with regard to this item. Only Rs. 600 more than the previous year has been provided for the expansion of the education of the depressed classes. Last year it was Rs. 5,000 and this year it is Rs. 5,600. The provision for local bodies, district boards and municipalities is much less than what was made in the budget estimate for 1926-27. The Hon'ble Finance Member may

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well say that the enrolment has increased by 20 per cent. The question is not by what per centage the enrolment has increased. The questions is, how many centuries shall we take to remove illiteracy from our province? Turning to "Agriculture," we find that expenditure on cattle-breeding experiments and demonstrations has decreased. As regards agricultural education, only one school is going to be increased this year, which means as if two schools of agriculture will be sufficient to impart efficient instruction in agriculture in the whole province. If we refer to Industries department, we find that the expenditure has been reduced by about 18 lakhs. If we turn to Public Health department, we see that the grant for physical culture is about half of what it was last year. In 1925-1926 there was a provision of Rs. 2,04,288 for the prevention of epidemics and improvement of rural sanitation. This amount has now disappeared. Further, there was a recurring grant of Rs. 2,40,000 under rural and minor sanitary works. This has been reduced this year to Rs. 1,90,900. Again, in 1926-1927 there was a grant of Rs. 50,000 for the improvement of small town areas, but it has vanished this year. Infantile mortality is increasing, with the result that children under one year of age are dying in large numbers every year. Female deaths, also between the ages of 20 and 30, are fast going up. The Council will remember that a resolution on this subject, which was moved by Raja Raghuraj Singh, was passed, and the Government gave us an assurance that they would soon look into the matter. I wonder whether it was a mere paper transaction or whether the decision of the Council is going to be implemented by the Government at an early date. I now pass on to the Excise department. If I remember aright, one honourable member observed that income from this department was on a decline and so he said that a day would soon come for the introduction of total prohibition in our province. Unless I have gone wrong completely in my figures, I find on the contrary that income under this department is increasing. In the revised figures for 1926-1927 the income stood at Rs. 1,36,57,000; this year it stands at Rs. 1,38,40,000. It will, therefore, appear that in spite of the fact that we have been passing resolution after resolution with regard to the total prohibition, the Government are eager to derive as much money from the Excise department as they can. This is incidentally one of the numerous instances of the condemnation of the verdict of the Council by the Government. The Council will remember that last year we voted a reduction of 11½ lakhs, but His Excellency the Governor restored it to the extent of eight lakhs, thus flouting the opinion of this House. Such is the condition of the finances and of the departments in our provinces, and I think that this state of affairs cannot be improved unless we have full provincial autonomy. The Ministers have no spending powers: they cannot spend a pie. They are at the mercy of the Finance department.

**The Hon'ble the President:** Honourable member must finish here. He has much exceeded his time.

**Sheikh Abdullah:** If I do not find sufficient reason to congratulate the Finance department I can at least thank them for their trouble and care which they have bestowed on the preparation of our budget. I particularly thank the Hon'ble the Finance Member



for his budget note, with the help of which people like myself have been able to understand something of this complicated mass of figures and schedules. The Hon'ble the Finance Member intimated to us the other day that this was his last budget statement. We felt sorry to hear the news, and I shall be expressing the feelings of the House if I take this opportunity of thanking him for his long, good, and meritorious services to our province in various capacities, particularly as the member and leader of our Council.

*(At this stage the Deputy President took the Chair.)*

If I turn to the merits of the budget I think that there are many points which our expectations are not satisfied, while there are some points which are very disappointing. I have picked up particularly three points. The first relates to the borrowing of money for investing in brick and mortar and charging its interest to revenue. This, I submit, is a very damaging policy, and there should be some check for this in the future. The matter has, however, been ably dealt with by my honourable friend the member for the Allahabad University, and I need only endorse every word that has fallen from his lips. I hope that there will be some sort of assurance for the future that no such reckless borrowings will be indulged in. The second point is, that there are certain misleading calculations in the income and the expenditure. Under Irrigation, Excise and Forest there has been over-estimating of income and under-estimating of expenditure, and that is, I think, one of the reasons why a big balance, with which we started in the beginning, has all been absorbed. Of course, it has now been frankly admitted in the note by the Hon'ble Finance, Member himself that this was a mistake and I hope that in future it will not occur. The third point is the competition of supplies between the reserved and the transferred subjects. The transferred subjects are the only subjects which require development under the Reforms, because the Reforms have given an impetus to the spirit of progress of the people and they want to utilize the opportunities and to develop and cultivate sciences and arts and to make progress on a national line. But, Sir, I find that the rules of devolution and the financial arrangements which have been given along with the Reforms are really creating a great barrier in the path of our progress. Either Reforms should not have been given to India, or these rules, with such financial arrangements, should not have been accepted by the Parliament or by the Government of India. I think, Sir, that it is the case like that of a man who, for instance, is given a certain locomotive engine to take his train to a certain distance. But the supply of coal given is so short that it is impossible for that poor engine to draw the train beyond a mile a day. Our goal is still hundreds of thousands miles ahead. How is it possible for us to reach that destination within any reasonable time in future at this rate of speed? Sir, the Statutory Royal Commission is expected to come to India within the next two or three years to revise the Reforms. To start with their work, they will surely take stock of the results of the Reforms, and I do not understand what results the Government has got in readiness to exhibit before the Royal Commission. The Commission will find us in almost about the place from where we had started and not a great distance from it. We know perfectly well that we have not advanced very far and we have not advanced

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more than we could do without such reforms. Now, Sir, we have got our explanation. Our task will be easier before the Royal Commission. We have got figures, and we have got evidence to show that we are not progressing. We admit and we shall admit before the Royal Commission that we have not progressed. We have got evidence to prove our case. We shall place before them the documentary evidence, the full bundle of all the budgets of ten years, and shall ask them to find out for themselves the reason of our tardy and slow progress. When supplies are not given to us, how can we make any progress in our education, sanitation, and other nation-building departments? The Government of India seems after all to have realized the difficulties of our finances, and they are remitting heavy imposts upon the provincial revenues which they were exacting under the rules of Devolution; but, Sir, I am afraid I will have to use a Hindustani proverb—"Asman se giri aur khajoor men atki."

With reference to this remission by the Government of India, the reserved subjects are like a tall palm tree between the Government of India and the transferred subjects, and the remission from the Government of India, if any, comes first to the part of the Government in charge of the reserved subjects. They take as much as they like out of that, and the balance is made over to the Ministers to be distributed among the nation-building departments. The Hon'ble the Finance Member has shown us great courtesy in giving an account of the remitted amount. He, perhaps, knew that our interest was centred in the transferred subjects, and he has shown us that out of the two crores and three lakhs remitted by the Government of India one crore and one lakh have been spent for the transferred subjects.

We are, of course, thankful to him for having enlightened us on this point, but it is very difficult to reconcile ourselves with the explanation. I am sorry that we are not satisfied and we cannot be satisfied with this. That the reserved subjects, well supplied, well provided, well organized, and the costliest part of the Government, should have utilized a large portion of the remission by the Government of India is very sad. How can a Government which has got under its charge a population equal to the population of Great Britain and among whom 96 per cent. of the men and 216 women out of 217 are still immersed in the darkness of ignorance and illiteracy? How can such a Government afford to be liberal with the reserved subjects, which are already so well provided. For the past, I think that what has been done we cannot undo, but for the future I think that we should be unanimous—the non-official element in this House should be unanimous—that every penny that the Government of India has remitted should go towards education, and particularly the education of girls, which is the most neglected subject in this province and in a most deplorable state. But I think I shall have occasion again to say something about this on demand No. 22. But here I should say only this, that not a single penny out of this money should go to any other object except education, sanitation, and public health. We are aspiring to be a self-governing people, and a civilized Government has been ruling over us now for the last 150 years, but up to this time in these provinces we have not helped

one section of the pitiable, the miserable, and the helpless humanity. I mean the lepers and the blind. We have not given them an asylum. In all other provinces there are asylums; but I do not see that we have given them a single asylum; and now that there is money we should set apart a portion of that amount for giving relief to these people and for providing at least one asylum for each class of these people.

I have nothing more to say except that since the time of the inauguration of the Reforms we have heard much about co-operation and non-co-operation. We are co-operators here. There are very few non-co-operators; having taken the oath of allegiance they have given a pledge to be co-operators.

**The Deputy President:** Will you co-operate with me now by keeping within the time-limit? You have already taken your fifteen minutes.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** The budget as presented to us cannot be regarded anything but dull and lifeless, giving a gloomy aspect to our provincial finances. The first and foremost grievance of mine is against the Hon'ble the Finance Member in allowing us a very short time for the preparation of the budget. If you will look at the Council proceedings of the previous years you will find that the budget of 1924-25 was presented on the 26th of February and the general discussion took place on the 5th of March, that is, after a week's interval. Then the budget of 1925-26 was presented on the 28th of February and the general discussion took place on the 13th of March again, an interval of more than 12 days. The budget of 1926-27 was presented on the 4th of March and the general discussion took place on the 11th of March, that is, after an interval of more than a week. But, Sir, this time the Hon'ble the Finance Member has given us only four days to study the whole of the budget.

**The Hon'ble Sir Sam O'Donnell:** Five days.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I stand corrected, though the correct interval between the 4th, the day when the budget was presented, and the 9th, the day for the general discussion is only four days. Then, Sir, I think I shall be failing in my duty if I do not point out some of the defects of Mr. Blunt's memorandum in spite of the fact that he has presented us budget copies with well-trimmed and bound volumes this year. In introducing a new system of accounting he has spared a little time and labour in giving adequate explanations in his notes. Had he given more explanations he would have saved much of the time of the Council. During the course of the next few days you will find, Sir, that hundreds of motions were sent on account of these unsatisfactory explanations which would not have been given notice of if he had given more explanations. Another thing which is very peculiar and striking in the memorandum is that some of the voted items have become non-voted, and that there is a marked increase in the non-voted items this year. For an instance I will refer the honourable members to page 27 of the memorandum regarding Police department. Here I find that under sub-heading A, Superintendence, there is a decrease of Rs. 25,000 under voted and an increase of Rs. 20,000 under non-voted, making a total decrease of Rs. 5,000. Then lower down, under district executive force, you will find that there is a decrease under voted of Rs. 87,000 and an increase of Rs. 10,000.

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under non-voted items. Further on, at page 28, we find that the total shows a decrease under voted of Rs. 33,000 and an increase under non-voted of Rs. 27,000, and so forth. So this year we find that there is a marked increase in the non-voted items.

Now I come to the budget itself. The budget, as I find, is a bankruptcy budget from an Indian point of view. I will test the budget by applying three tests of mine. *The first and foremost test is whether both the ends of expenditure and revenue meet or not.* We find that there is a huge deficit of Rs. 56,81,000, including a small closing balance of Rs. 15,01,000. This has been accounted as due to the shortness of the opening balance of 1926-27 by a sum of Rs. 26,71,000, which altered the closing balance of the same year from Rs. 79,20,000 to Rs. 52,49,000. Then there were supplementary estimates—unexpected supplementary estimates—from the Hon'ble the Home Member under jails and the administration of justice. Last year both the departments, as far as I remember, were passed without any substantial cut, and it was expected that the supplementary estimates will come in a token form, but unexpectedly *they came in lakhs and lakhs from the Hon'ble the Home Member* and increased this huge deficit.

*My second test is whether the financial condition is sound or not, that is, whether it is free from loans or not.* We find to our extreme regret, Sir, that it is not so. We have taken a loan of a total sum of Rs. 24,92,00,000, including Rs. 15,16,00,000 from the pre-Reform days and Rs. 12,00,00,000 since the Reforms were inaugurated. Further on we find that the Hon'ble the Finance Member is expecting to borrow further to the extent of Rs. 3,98,00,000 in a few years. We are paying a sum of Rs. 1,65½ lakhs as interest charges. I think that is too much. It was but meet and proper for the Government to devise means to find out new resources for meeting these loans and increasing the finances of our provinces. Then we find that almost the whole of the famine insurance fund has been absorbed. It is needless to point out the importance of the famine insurance fund to our province, which is purely an agricultural province, and it was due to this that the framers of the Reforms Act have fixed Rs. 39,60,000 as the sum to be set aside for the famine insurance fund. What I find to our surprise is this, that not only productive items, which of course ought to be debited against the famine insurance fund, but unproductive works have also been financed out of it: for instance, interest on the Sarda canal loan. This should not be done. Our famine insurance fund which ought to have been by this time more than three crores has been reduced to 13 lakhs only.

*My last test is, how far economies have been effected both in the reserved and transferred departments and what attempts have been made to meet the popular demands.* Whatever economies might have been effected, there is still much room for them in both the reserved and the transferred departments. Recommendations of several committees which would have effected substantial economies have not been given effect to. For instance, there was the Commissioners' Committee report. It recommended a reduction of five posts. After that, the recommendations were sent to the Government of India for sanction, and they also have given consent to reduce one or two posts but even that has not been done. Then there are the recommendations of the

Economy Committee for the reduction of one post of deputy inspector-general of police and the other post of deputy inspector-general in the Criminal Investigation department, but they have not been given effect to in spite of the fact that several times resolutions were passed on the floor of this House and in 1925-26 the whole amount of their pay was also omitted.

Then, Sir, in the transferred departments the Economy Committee recommended the abolition of the post of Inspector-General of Civil Hospitals and the amalgamation of his office with the medical branch of the Secretariat. That was also not done. The Public Works department Re-organization Committee recommended a reduction amounting from six to eight lakhs by abolishing the posts specially of executive and superintending engineers, but that has also not been given effect to. So I find that there is every room for economy in both the transferred and reserved departments, and in face of such a huge deficit they ought to have been carried out.

Coming to the demands of the public, let us see how far they have been met in the present budget. I find that the case is just the contrary. In the transferred departments this year there is a decrease of eight lakhs under education. The literacy of these provinces has reached only 2·85 per cent. and, instead of going forward we are going backward, by reducing the expenditure of that department. There is no doubt an increase of one and a half lakhs in the co-operative department, but I find that some posts which are going to be created will make the department top-heavy. I will, however, reserve my remarks in relation to this department when the demand for agriculture comes up for discussion. I think that if a cautious and conservative policy in incurring capital liabilities had been followed more money could have been saved for the nation-building departments.

In the end I hope that when the promised supplementary estimates will come up in April due regard will be paid to the famished departments.

**Rai Bahadur Babu Vikramajit Singh:** I am sorry that this is the last time when the Hon'ble the Finance Member will present his budget to the Council. We will miss him as the most intellectual member on the Government benches, a ready debater, and an eloquent and relevant speaker. We are indebted to him for placing the loan position before the Council. This gives us a good deal of food for thought. This shows what our real position with regard to finance is. I do not agree with Mr. Mehrotra that we are at present bankrupt, but I do say that if we were to go on like this we will be proceeding towards bankruptcy. The Hon'ble the Finance Member has shown that during the last six years we have borrowed no less than twelve crores of rupees. He has also told us that the pre-reformed Council gave us a debt of about sixteen crores of rupees, though he has not told us in how many years we have been able to accumulate that debt. But we find from our debt position that our present indebtedness is something like two crores of rupees every year, and if we were to calculate in the same way for our indebtedness before the reformed constitution we shall come to the conclusion that probably that debt has been incurred in about eight or nine years. So I do not think that there is only this small deficit which alarms the members of this Council, but there seems to me to be a

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permanent deficit of about two crores of rupees on our present expenditure and if we are not in a position to get over this permanent deficit. In that case we will find ourselves after some years in a state of hopeless bankruptcy. The Finance Member has told us how we can pay our interest, but will he be able to tell us whether we will ever be able to repay the capital?

**The Hon'ble Sir Sam O'Donnell :** Certainly.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** In eighty years.

**Rai Bahadur Babu Vikramajit Singh :** I am told in eighty years we will be able to repay the capital. I do not think that this is a proposition which ought to be accepted. If we were to judge the future by the past we will find that as a matter of fact we have been spending more than our income. We might also know that our income may come down and there are certain departments in which it is very likely that the income will come down in future years: for instance, the Excise department. But is there anything to show that our expenditure will also come down? I doubt if our expenditure will ever come down; probably it will increase, and the Council does want that it should increase in the transferred departments. Thus our position can never be safe.

Now, Sir, if you were to analyse the entire budget you will find that our permanent expenditure has been put down at something like thirteen crores. On four departments only, viz., the General Administration, Police, Administration of Justice, and Jails and Convict settlements, it comes to four crores of rupees.

The expenditure on what we call beneficial objects or the transferred departments, viz., Education, Sanitation, Medical Relief, Industries and Agriculture comes to only 2,80 lakhs. Now the Council will notice a great disparity between the expenditure on the departments which merely maintain law and order and the expenditure on the departments which really go for nation building as they are called. There is a great disparity. On the one side we spend something like 57 per cent. and on the other we spend only 43 per cent, including Education, Medical Relief, Sanitation, etc. There is a certain class of expenditure which cannot be reduced: that expenditure is either in the shape of fixed contributions, or such expenditure which will practically remain permanent and we may never be in a position to reduce it. For instance, revenue-earning expenditure, expenditure on irrigation, debt services, building of roads and contribution to the Government of India, and other miscellaneous expenditure which comes to Rs. 6,14,00,000. So our anxiety is how are we going in the near future or at any time in future to get over this difficulty? So far as the reserved departments are concerned, i.e., with regard to the expenditure of four crores, there is no desire on the part of the Government to reduce that expenditure at all. Judging from the past, it appears that it is always the desire to increase that expenditure. So far as the expenditure on the transferred departments goes, there is a general feeling in the Council that it is not enough and should be increased. There are other items of expenditure which are fixed and cannot be decreased, so that our relief would lie in the wiping out of contribution to the Government of India completely which is

Rs. 1,50,00,000. It should not only be given to us as windfalls, but there should be a permanent remission. There should also be a general retrenchment of the expenditure on the reserved side. We cannot blame the Hon'ble Finance Member for presenting this budget, which is a deficit budget. I blame the system, under which he is not in a position to curtail all this expenditure; he is not in a position to do away with the various services which take away a large sum of money unless the policy is revised. He may be able to effect small economies, but the point is that you do require larger economies in order to be able to balance your budget always. You may or may not be able to get money in the shape of remission from the Government of India always. I may also here point out that what appears to be a seeming deficit of 39 lakhs is not really 39 lakhs, but it should be 90 lakhs because the Hon'ble the Finance Member has told us that they are going to bring supplementary estimates to the extent of Rs. 51 lakhs, and I say that even if the Government of India had not given any remission in the contributions that 51 lakhs of rupees would necessarily have come. The money might have been drawn from loans. After all, it does not appear that this 51 lakhs is merely a sort of superfluous or a useless sum which is going to be spent because we are getting money in the shape of remissions from the Government of India. We will always require expenditure to be increased on the transferred subjects so that we are, as a matter of fact, greatly in deficit on account of not husbanding our resources and spending more money than our income is. We ought to take into consideration the fact that our expenditure should be such that it could be met by our permanent income, and, if it cannot be met by our permanent income, then the Government ought to consider as to how it should reduce the permanent expenditure and balance the budget. Otherwise the indebtedness will go on increasing. There can be no sufficient explanation of incurring a debt of 12 crores in six years; neither can there be sufficient explanation of incurring a debt of 16 or 17 crores in previous years. It is all due to the fact that we are spending really more than our income. Of course, the Finance Member has said that he is perfectly satisfied with the present position and it gives him no cause for anxiety. I regret I cannot agree with him, because it gives me anxiety, considering that in a few years we have become indebted to this extent and we are going in the next few years, according to the Hon'ble the Finance Member, to take another 398 lakhs. It also appears that they have got the list of expenses cut and dried which will be covered by this figure, which the oddness of the figure indicates. If it was only four crores it would not look as if they had the exact details of what the expenditure was going to be, but it now looks as if they have a programme ready for the loan which will be taken in the near future, and our indebtedness will necessarily be increased. This I consider as an unsatisfactory position, and I think Government will be pleased to give its consideration to it from this point of view. The Hon'ble the Finance Member has told us that very liberal grants have been given to local bodies for the improvement of sanitation and water-works. From what has been done for the Cawnpore municipal board I should say that the statement made here is not quite correct, because, although the Cawnpore municipal board is spending something like 10 to 12 lakhs on water-works extension, it has not received a single penny as grant from Government for water-works. In the same way it is said

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that we are giving large grants for improvements in sanitation. Although in 1918 Government gave an undertaking that they will give to the municipal board of Cawnpore 50 per cent. of the expenses towards drainage, and, although a scheme involving heavy expenditure was adopted on the recommendation of Government costing 30 lakhs, we have had nothing given either last year nor do we know whether anything has been provided this year. So that, from my experience of what has been done for Cawnpore, I do not think this statement of the Hon'ble the Finance Member is borne out. Then with regard to grants for industries, I should say that it is a very poor grant, indeed. We find that only Rs. 25,000 have been provided or laid at the disposal of the Board of Industries. Considering that very large sums are given to other departments, a sum of only 12 lakhs for the industries is a mere pittance. You have to increase the grant to industries to a very large extent before you can have either good industries or technical education or give substantial help to cottage industries. The Hon'ble the Finance Member has shown satisfaction that there are 98 institutions which are supported, but the amount that is given as grant to these institutions is only Rs. 84,000. *(The Hon'ble the President here resumed the chair.)* Therefore it comes to less than a thousand rupees for every institution. Consequently it is more from private charity that these institutions are carried on, and the Government grant to these institutions does not appear to be much, nor does it appear that Government is maintaining a large number of institutions for industrial education themselves. I should think that the Government ought to increase very largely the sum allotted for the Board of Industries and also place at the disposal of the Industries department a larger sum for opening out schools and institutions and giving help to cottage industries. The Industries department seems to be not at all properly looked after by the Government, if the progress made during the last six years of the reformed Council by the department is that they could get only some 12 lakhs for their work. This I consider to be an absolutely inadequate provision. Then, Sir, I find from the budget that grants for the primary education to district boards has been put down as something like Rs. 69,72,610, while for the municipal boards primary education it is only put down as Rs. 3,64,55,000. I do not consider that the municipal boards have been treated fairly in allotting only this sum for all the municipalities. It is not necessary for me to carry the Council at this stage towards other considerations of other details of the budget which we shall have an opportunity of taking up later; but I might be permitted to mention here that, although about one crore has been spent on the police buildings from loans, if the Hon'ble the Finance Member thought that putting up buildings from loans was a right policy, then why was not the same adopted with reference to civil court and revenue court buildings? For the last six years I have been agitating the matter of civil court buildings in Cawnpore, which have been in a hopeless condition, but the matter remains where it was. So that it appears it is only the police which is the favoured object and neither civil nor revenue courts receive the same treatment. I consider it is not a fair position, and the partiality to the police should not continue. Every other department should get a fair share of such allotments. There are a number of our grievances which remain still



to be redressed. My honourable friends have drawn the attention of the Council to these and I am not going to repeat them, but there are a few others, and I might be permitted to draw the attention of the Hon'ble the Finance Member and of the Council to these. First is the extension of the jury system. This has been given a trial for a few years in a few districts with regard to certain limited number of offences, and I say that the time has come when it should be extended to other districts and it should also be extended to all offences. The Council has also had under its consideration the question of the selection of the honorary magistrates, and the Council has repeatedly stated that it is very unsatisfactory, and has drawn the attention of the Government to this state of affairs. We hope that in the near future Government should take some steps to improve the recruitment of honorary magistrates and not go on in the way that it has been going on in the past, which has not given satisfaction. The Civil Justice Committee has also recommended that some arrangement should be made for giving training to the members of the I. C. S. who go for judge-ships. I do not know if anything has been done in that direction. One thing noticeable with reference to education is that there has been a great reduction in the grant for non-Government colleges. It appears that every year we find that colleges are being affiliated for more subjects and therefore one would naturally suppose that the grant given should go up. Instead of going up, however, it has gone down. That is not a very satisfactory feature, and I hope that it will be remedied very soon.

**Babu Bhagwati Sahai Bedar:** Before I say anything on the budget I wish to point out that we have been given very little time to consider the budget. Only five days have been given, and I do not think that these five days are at all sufficient for a new Council. Yesterday, when I was walking here in the adjoining park, two honourable members of this House were discussing the budget. One asked: "What is this sinking fund?" The other said: "That is in connexion with the flood." Then he remarked: "You have not understood the budget." He replied: "Perfectly well." Then he asked: "What is Famine Insurance Fund?" The other replied: "That is an Insurance fund run by the Government and in this company the tenants can get their fields insured against famine." So, Sir, it is really difficult to understand the budget in such a short time, at least for those like myself and the new honourable members to this Council and more time ought to have been given for studying it.

With regard to the Budget I have to say only this much at the outset—

آئے ہیں سر میں عطر دلہن کا رہ دال کے \* کیا کیا سہاگ ہیں مرے روز وصال کے

Sir, I give full credit to the Finance Secretary, the Finance Member, and the Finance department for successfully arranging the show of the jugglery of figures as displayed in the budget. I also thank the Finance Secretary for preparing the budget after the English model and thereby Anglicising our future and Indianizing our past. Sir, I admire the clever way in which the Secretary has been able to explain the increases and decreases that have occurred under different heads in the budget. Then, Sir, I envy his patriotism with which he has prepared this budget in the best interest of his own countrymen and

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not in the interest of Indians. In vain, I ransacked the whole budget. I turned every page in order to find out that "silver lining" which has been mentioned by the Hon'ble Nawabzada Sahib. Again, I tried to find out something somewhere for which I can congratulate the Hon'ble the Finance Member or the Finance Secretary, but I could not. What I found in the budget was this—

اور تو سب خوبیاں ہیں چشم جادو میں تری  
یہ مہر تو ہی نہیں اتنی کسر آنکھوں میں ہی

The non-votable items have been increased. The reserved departments enjoy the privilege of the purse. The transferred departments are starving for want of funds. Every item of expenditure has been provided, in a majority of cases, for the good of foreigners, and every blood-sucking tax is being realized from the poor, the weak, and the innocent. Sir, the Europeans are enjoying as ever their fat salaries, oversea allowances, and what not, but poor Indian employees are looking forward to the day when they will be able to make both ends meet. I fail to understand all those honourable members who have congratulated the Finance department, and the Secretary. Shaikh Habib-ullah Sahib said that when the Royal Commission will come he would place before it bundle of grievances, indicating thereby that we have not been allowed to work out the Reforms. Well you may prepare your bundle of grievances and the Government will prepare its own, and you may rest assured that your bundle will be dropped into the wastepaper basket, while the bundle prepared by the Government will have a prior claim for consideration over your bundle because, if you will assert that Government did not let us work out the Reforms properly, the Government will say: "Look here, there are so many elected members in this House who, in spite of the fact that there was a deficit budget, congratulate the Government, which showed that only some irresponsible politicians who sit on the opposite benches were dissatisfied or else the saner elements in the Council always poured its choicest blessings upon us." Sir, the Hon'ble Secretary for the Finance department has admitted that the position is very unsatisfactory. He is also looking forward for a relief, of course with a heavy heart, in further remission of the provincial contribution. I ask the legislature and those persons who congratulated the Government: "What is there for which you have congratulated the Government? Is it for the deficit budget that they have presented that you are going to congratulate them? Is it for the debt of 25 crores that we congratulate the Government? Don't you see that our wishes are being practically kicked every day? Are not the resolutions passed in this Council thrown into the wastepaper basket? Are not the cuts made in budget certified by the Head of the administration? What have we gained so far? What have we done so far? What have we done for the poor man, the man in the street, the man in the remote corner of the village? What have we done to improve his condition during these six or seven long years? I inquire the Government and those members who congratulate the Government ever and anon: "What have we achieved so far? I say that if this legislature is considered a *tamasha*, if the whole procedure is considered a farce, and if for this farce we are going to congratulate the Government and waste so much public money, I assure you I can manage

to demonstrate a better, more interesting and less expensive *tamasha* in the adjoining *baradari*. If this Council is not considered a farce, may I know the extent to which the considered wishes of this honourable House are heeded by the Government? Well, the other day we passed a resolution that the Deputy Inspector-General of the Criminal Investigation department should go but the Government did not care. We asked that the commissioners should go, but the Government will not mind. We wanted that the judicial and executive functions in the districts should be separated, but the Government turned a deaf ear. We asked that there should be advisory committees in every district, but the Government paid no heed. We asked that *juar* should not be introduced as part of the jail diet, but we saw that the predecessor of the present Home Member began to relish *juar*, and I do not know whether the present Home Member also relishes it or not. Coming to corruption, a poor peshkar or a muharrir is sent to jail and sentenced to imprisonment for corruption, but what about dalis presented to high officials? I have my experience as a member of the Public Accounts Committee that poor clerks have been sentenced to two and three years for such small sums as eight annas which they happened to embezzle or pocket out of the fines realized in the courts of some honorary magistrates, whereas we know that in a number of cases of serious nature in which high-paid officers and civil servants were concerned were ignored and no action was taken on the ground that those officers have retired or gone away.

I come to the transferred departments. What has the Agricultural department done, may I know? Of course, they have introduced Meston ploughs and Watts ploughs. I ask the Government what this Meston plough and Watts plough and what this *banjar tor* and *pathar tor* have done to relieve the difficulties of the poor agriculturists. I ask the Minister in charge of the department—I am sorry I miss the Hon'ble Minister for Agriculture in his seat—I ask him what has this *banjar tor* and *pathar tor* done so far? What have Watts ploughs and Meston ploughs done so far except waste of time, money, and energy? The fun of the whole thing is that this department—mind, this department of Agriculture spend six times more than its income in demonstrating the efficiency and usefulness of these *banjar tors* and *pathar phors*. It can be said that these ploughs have proved very beneficial to the tenants. I have to submit in reply that they have done so only to those persons who can afford to purchase bullocks worth Rs 150 each. How have they benefited a poor cultivator who has a holding of ten or fifteen bighas, I fail to understand. The co-operative credit has a more sad story behind it, and I have to say only this much:—

مریض عشق پر رحمت خدا کی \* مرض بڑھتا گیا جیوں جیوں دورا کی

The more the addition of the Deputies, Assistants, Senior Assistants, Junior Assistants and Head Assistant Registrars the less efficient the management.

I now pass on to the Excise department, and here I always find myself in my element. In this connexion I beg to say:—

اُنہ ہنسے بولے اگر اُنہی ہے یاروں میں

دولہن بن کر نہ بیٹھے دختر رز بادہ خواروں میں

[Babu Bhagwati Sahai Bedar.]

You have been talking of temperance and said the other day that prohibition was impossible at the present stage. Indeed, now some honourable members, who are not present to-day, said that "temperance" was enjoined upon them by their religion and sided with the Government in defeating "prohibition." Sir, one should have therefore expected that the Finance department had provided at least ten lakhs for temperance propaganda and given, say, Rs. 20,000 for the cause of temperance in every district. But the Government have done nothing of this sort, and consequently it seems to me that they talk tail and mean nothing.

Turning to the Police department, I find that it is being efficiently managed by the Nawab Sahib of Chhatari, for while his predecessor asked the Council for nothing, he has at least stood in need of a crore of rupees to effect improvements in the department. If he were not intent on doing something for the Police department, he could have allowed matters to drift as his predecessor did. Sir, all of us should be thankful to the Hon'ble Home Member for erecting police buildings by means of loans. Now what is the position of the Criminal Investigation department? A C. I. D. Sub-Inspector comes to Bedar and says: "This Government is very obnoxious." If I say: "I agree with you" he puts my name down; but if I say that the Government is not a bit obnoxious, he will state: "Don't you see the Government are taking away lakhs and lakhs of rupees every day?" In the result he will compel me to say that the Government is absurd, thus enabling him to put my name down. I know it for a fact that certain gentlemen of high rank and position and a few members even of this local Legislature are being constantly watched by the C. I. D.

**Mr. B. D. Pande :** I am one of them.

**Another swarajist :** Mr. Ganesh Shankar Vidyarthi.

**A number of swarajists :** There are others.

**Babu Bhagwat Sahai Bedar :** Sir, I can refer to telegrams which are despatched when they come to attend the Council in Lucknow.

**Some swarajists :** We are styled conspirators.

**Babu Bhagwati Sahai Bedar :** Yes, conspirators, hired demonstrators and paid agitators. However it be, my only submission is that the attention of this department ought to be directed to better channels, for example, towards the investigation of communal conspiracies wherever they are being engineered. They have to detect the conspiracies to loot the innocent, and they ought to report such cases to Government. But when riots are to take place, and the people are to be looted, we do not find the C. I. D. anywhere. Last time, when there was a riot in the Shahjahanpur city, the Commissioner of the Rohilkhand division, who is now the Senior Member of the Board of Revenue, said: "You have deleted the entire amount of the C. I. D. and you want help from us." I said: "I want help because the C. I. D. did not report to the Collector the actual state of affairs, or else matters would not have come to such a pass." What I mean is that if, for instance, there is music party to pass before a mosque and there are

people sitting inside the mosque, it is the prime duty of the C.I.D. to report to the authorities that there is a crowd sitting in a masjid." There are, of course, times when they ought to work for political purposes. I do not mean that they should not investigate or detect conspiracies. I do not say that they should not report to the Government the open conspiracy going on in our benches to kill dyarchy, but at the same time they must know what matters are of vital importance, how many conspiracies do exist to foment communal riots. I have a good deal to say about the C.I.D., but I shall do so when the C.I.D. budget comes before the Council.

Now I come to the Public Works or Public Waste department whose work is simply mortar and brick. Construction and demolition going hand in hand, and here is an example before us. To-day the Council Chamber is being erected, and, lo! to-morrow the ceiling is cracked. It has to be set right. More money is needed. Supplementary estimates must be passed irrespective of the fact that roads in the rural areas of the whole province have become simply hellish. Sir, all these things have resulted in hatred towards this system of Government, and I must tell them that they should not remain under the delusion that everything is all right. I think that 99 per cent. of the people hate the system of Government from their hearts irrespective of communal controversies. The people on whom the Government rely, namely, the Rajas and Maharajas, hate the Government all the more. The Government may rejoice when a Raja stands up and says :—

دراز عمر خدایا ہمارے شاہ کی ہو \* ترقی نیر آداب مال و جاہ کی ہو

But I say that these Rajas should not be relied upon. What is needed is to search their hearts, and then only you will find that they are more dissatisfied with Government than anybody else. I shall give only one instance. A number of Rajas have joined the Nationalist Party. Why? Because they are dissatisfied with Government. Had they been satisfied, no occasion for their joining the Nationalist Party would have arisen. They would not have gone to the opposition benches without their dislike for the Government. The only class of people which was hitherto satisfied was the Munshi and Bania class. I mean the clerks and traders, and why? Because they are very amiable people and are not ready to fight. They thought when they will be oppressed, when there will be a robbery, Government will protect them. But the communal riots have shown that they have to stand on their own legs and protect themselves, and that this Government, which poses as the real guardian of the people, will do nothing for them. Its arms and ammunition are to subjugate us, shoot the innocent and the weak, and not to protect people from the clutches of the tyrant. So I say that even Banias who had a love for this system of Government hate this Government and say that they do not want such a Government which is unable to protect their lives, their property, and their children.

**The Hon'ble the President :** Is the honourable member speaking on the budget?

**Babu Bhagwati Sahai Bedar :** Hitherto figures have been given by all the other honourable members, and since you have asked us to avoid

[Babu Bhagwati Sahai Bedar.]

repetition I am dealing with facts only. Sir, it is this present system of Government that has turned loyalists into nationalists, nationalists into non-co-operators, and non-co-operators into anarchists. And I would warn the Government to look alive before it is too late.

نہ ادا میں اُنہا کے گور غریباں سے \* ابل آئے نہ چشمہ خون کا خاک شہیداں سے

I would again warn this Government that you cannot keep any nation under perpetual subjugation. You will have to give them liberty, and these budgets, of course, cannot satisfy anybody, unless you prove that you have prepared them with the best of intentions, with the best of good will, and in the best interest of the people. You must be congratulating yourself for keeping us under subjugation, for not appointing Ministers according to the choice of the Legislature. Last time when we were rotting in jail behind the iron doors there came a sound from Aman Sabhas:—"Ao chalo councilon men. "Come to the Councils, work the Reforms. They are the first instalment of Swarajya. They are a regular paradise." Well, we came to the Council, worked the Reforms for what they were worth, but what do we see? Nothing but a game of hide and seek. There are only 17 or 18 Swarajists. The rest are Nationalists. Well, I do not wish to throw any aspersion on any of the Ministers for their ability, for their capacity for work, but I wish to say that in making appointments we should have been given a chance to put the Ministers in the ministerial *guddi*, even though our choice would have fallen on the Ministers appointed by the Government, and the Government ought not to have worked in this stiff-necked manner. That would have been the right course. But it is no use saying that we have been given swaraj. The swaraj of this kind means the same thing as the derivation of Gandhi cigarettes, that is to say, the attaching of the pious name of swaraj to this Government is the same thing as the attaching of the pious name of Mahatma Gandhi to cigarettes. Now, Sir, there are many more things regarding the prescribed literature and . . . . .

**The Hon'ble the President :** It is now time for the honourable member to finish his speech.

**Babu Bhagwati Sahai Bedar :** All right, Sir. I finish with one more warning to the Government, and it is this :—

یہ ہم نے مانا کہ آج خنجر گلو ہمارا نہیں رہیگا

کمر میں قاتل کے او سبتگر ہمیشہ تو بھی نہیں رہیگا

The Hon'ble the President then announced that Dr. Tandon was elected by the non-official members of the Council to serve on the King Edward VII Memorial Sanatorium Trust Committee.

*The Hon'ble the President then adjourned the Council until the following day.*

## APPENDIX A.

(See page 65 *supra*.)

*Copy of a circular letter No. 134 of 1926, dated December 17, 1926, from LIEUT.-COLONEL G. TATE, M.B., I.M.S., Inspector General of Civil Hospitals, United Provinces, to all civil surgeons in the United Provinces.*

I HAVE the honour to bring to your notice the apparent lack of co-operation between the medical and public health personnel in the province and to express a wish that officers of the Medical department will endeavour to maintain the most friendly and sympathetic relations with those of the Public Health service.

The line between preventive and curative medicine is a very fine one, indeed, in many cases impossible to define; while the goal of each is a common one—the alleviation of human suffering. Complete co-operation is therefore essential, and this can only be achieved if the officers of each department endeavour to get into personal touch with one another in their respective areas and to realize each the other's aims and aspirations.

2. All medical officers should make a point of getting into official touch with senior officers of the Public Health department when touring in their districts and should call officially on the Director of Public Health, a copy of whose tour programmes will be circulated to the civil surgeons of the districts concerned.

3. Similar instructions are being issued by the Director of Public Health, who, no less than I, desires to see a true spirit of *camaraderie* existing between the personnel of the two departments.

*Copy of a letter No. 16805, dated December 14, 1926, from LIEUT.-COLONEL C. L. DUNN, D.P.H., I.M.S., Director of Public Health, United Provinces, to (1) all Assistant Directors of Public Health, (2) all Municipal Medical Officers of Health, (3) all District Medical Officers of Health, (4) all Special Health Officers, (5) all Assistant District Medical Officers of Health, (6) all Medical Officers in charge of travelling dispensaries, and (7) all Sanitary Inspectors, United Provinces.*

I HAVE the honour to state that it is my desire that all provincial, municipal and district public health personnel should endeavour to maintain the most cordial relations with the officers of the Medical department serving in the United Provinces. With this end in view they should call upon the medical authorities in the town or district in which they are serving in order that they may become personally acquainted with these officers.

2. As the Medical and Public Health departments are in many respects closely allied and have both the same object in view, viz., the amelioration of the health of the people of these provinces, their personal acquaintance with the officers of the Medical department will give all public health personnel the opportunity of co-operating with them, when necessary, in order to attain the common object in view.

3. All public health personnel should call officially on the senior provincial public health officers touring in their towns or districts and also on the Inspector General of Civil Hospitals when he is on tour in their towns or districts.

4. Similar instructions are being issued by the Inspector-General of Civil Hospitals to all medical personnel, and it is hoped that better co-operation between the two departments and the personal acquaintance of the officers of the departments with each other will lead to co-operation and advantage to both departments and the inhabitants of these provinces. All officers of the Public Health department are instructed to assist in any way possible the officers of the Medical department should occasion arise.

No. 16306.

COPY forwarded to—

- (1) all District Magistrates,
- (2) all Chairmen, district boards,
- (3) all Chairmen, municipal boards,

United Provinces, for information.

C. L. DUNN, D.P.H.,

LIEUT.-COL., I.M.S.,

Director of Public Health,

United Provinces.

## APPENDIX B.

(See page 69 *supra*)

Statement referred to in answer to part (a) of starred question  
No. 19 for March 9, 1927.

Year.	Receipts.			Expenditure.		
	Rs.	a.	p.	Rs.	a.	p.
1923-24	...	3,336	8 0	4,394	15	6
1924-25	...	5,025	0 0	4,375	5	0
1925-26	...	3,904	0 0	4,052	5	0
		<u>12,265</u>	<u>8 0</u>	<u>12,822</u>	<u>9</u>	<u>6</u>



## APPENDIX C.

(See page 69 *supra*.)*Statement showing the loans payable by the United Provinces Government and the repayments thereof.*

YEAR 1923-24.

Description of Loan.	Amount of Loan Outstanding.	Repayments towards—		
		Interest, etc.	Principal.	
	Rs.	Rs.	Rs.	
(1) United Provinces Development Loan.	4,19,98,800	Interest ... 25,12,415	} 3,00,000 (credit to Sinking Fund.)	
		Income-tax ... 2,30,828		
		Management ... 8,520		
(2) Provincial loan account (Devolution rule 23).	2,43,13,212	Interest .. 9,58,873	25,00,000	
(3) Pre-reform irrigation debt (Devolution rule 24).	12,19,45,487	Interest ... 41,77,169	...	
(4) Advances from the Provincial Loans Fund.	1,03,89,700	Interest .. 1,52,066	...	
Total	19,89,47,199	80,99,901	28,00,000	

*Statement showing the loans payable by the United Provinces Government and the repayments thereof.*

YEAR 1924-25.

Description of Loan.	Amount of Loan Outstanding.	Repayments towards—		
		Interest, etc.		Principal.
	Rs.	Rs.	Rs.	
(1) United Provinces Development Loan.	4,19,98,800	Interest ... 24,99,825 Income-tax ... 2,28,258 Management ... 8,441	{ { {	4,67,454 (credit to Sinking Fund).
(2) Provincial loan account (Devolution rule 23).	2,21,13,212	Interest ... 5,50,468		25,00,000
(3) Pre-reform irrigation debt (Devolution rule 24).	12,19,45,487	Interest ... 41,69,415		...
(4) Advances from the Provincial Loans Fund	2,52,71,200	Interest ... 8,19,694		...
Total ...	21,13,28,699	85,76,101		29,67,454

*Statement showing the loans payable by the United Provinces Government and the repayment thereof.*

YEAR 1925-26.

Description of Loan.	Amount of Loan Outstanding.	Repayments towards -		
		Interest, &c.	Rs.	Principal
(1) United Provinces Development Loan.	Rs. 4,19,98,800	Interest	Rs. ... 25,13,864	Rs. 3,00,000 (credit to Sinking Fund).
		Income-tax	... 2,30,961	
		Management	... 8,460	
(2) Provincial loan account (Devolution rule 23).	1,96,13,212	Interest	... 7,42,063	25,00,000
(3) Pre-reform irrigation debt (Devolution rule 24).	12,19,45,487	Interest	... 41,51,732	...
(4) Advances from the Provincial Loans Fund.	4,52,24,200	Interest	... 20,66,870	...
Total	22,87,81,699		97,13,950	28,00,000

## APPENDIX D.

*(See page 75 supra.)*

*Copy of the order referred to in the answer to starred question  
No. 43 for March 9, 1927.*

There have been too many and prolonged complaints against these zamindars by their tenants in the first instance, and by the station police in the next. Their relations with both have been very strained. Sub-divisional Magistrate reports that there were too many guns in the family which is really a clan with several families in Majhgawan and Malehta. I am proceeding to both places in January and shall inquire myself. Meanwhile, guns will be deposited pending issue of new licences.

S. S. NEHRU, I.C.S.,  
*District Magistrate, Hamirpur.*

*Dated December 23, 1926.*

# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Thursday, March 10, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m.  
The Hon'ble Rai Bahadur Lal Sita Ram in the Chair.

## PRESENT :

(86)

<p>The Hon'ble Sir Sam O'Donnell. The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. The Hon'ble Rai Rajeshwar Bali. The Hon'ble Thakur Rajendra Singh. The Hon'ble Nawab Muhammad Yusuf. Mr. G. B. Lambert. Mr. E. A. H. Blunt. Kunwar Jagdish Prasad. Sir Ivo Elliott. Mr. P. H. Tillard. Mr. H. A. Lane. Mr. R. L. Yorke. Mr. A. W. Pim. Mr. A. W. McNair. Khan Bahadur Chaudhri Wajid Husain. Mr. E. L. Norton. Mr. F. F. R. Channer. Mr. R. J. S. Dodd. Colonel G. Tate. Mr. A. H. Mackenzie. Mr. G. Clarke. Mirza Muhammad Sajjad Ali Khan. Mr. H. O. Desanges. Babu Ram Charana. Babu Prag Narayan. Sri Ganesh Shankar Vidyarthi. Pandit Rahas Bihari Tiwari. Babu Sampurnanand. Babu Bhagwati Sahai Bedar. Thakur Manjit Singh Rathor. Chaudhri Mangat Singh. Chaudhri Vijai Pal Singh. Thakur Manak Singh. Thakur Hukum Singh. Raja Kushal Pal Singh. Rao Krishna Pal Singh. Chaudhri Badan Singh. Rao Sahib Kunwar Sardar Singh. Thakur Sadho Singh. Pandit Brijnandan Prasad Misra. Pandit Bhagwat Narayan Bhargava. Rao Udaibir Singh. Thakur Har Prasad Singh.</p>	<p>Lieut. Raja Durga Narayan Singh. Pandit Deota Prasad. Babu Shyam Lal Babu Uma Shankar. Babu Kavendra Narayan Singh. Pandit Shri Sadayatan Pande. Raja Sri Krishna Dutt Dube. Thakur Shiva Shankar Singh. Rai Bahadur Thakur Hanuman Singh. Rai Bahadur Babu Abhainandan Prasad. Bhaya Hanumat Prasad Singh. Pandit Govind Ballabh Pant. Pandit Badri Dutt Pande. Mr. Mukandi Lal. Sirdar Nihal Singh. Rai Bahadur Chaudhri Jagannath Prasad. Rai Bahadur Babu Mohan Lal. Rai Bahadur Pandit Sankata Prasad Bajpai. Raja Raghuraj Singh. Kunwar Surendra Pratap Sahi. Mr. C. Y. Chintamani. Mr. Muhammad Abdul Bari. Saiyid Tufail Ahmad. Khan Bahadur Shaikh Zia-ul-Haq. Lieut. Nawab Jamshed Ali Khan. Nawabzada Muhammad Liaquat Ali Khan. Hafiz Muhammad Ibrahim. Lieut. Khan Bahadur Nawabzada Abdus Sami Khan. Shaikh Abdullah. Manvi Saiyid Habib-ullah. Khan Bahadur Mr. Muhammad Ismail. Shaikh Ghulam Hussain. Shaikh Muhammad Habib-ullah. Raja Saiyid Ahmad Ali Khan Alvi. Mr. Muhammad Habib. Rai Bahadur Munshi Amba Prasad. Rai Bahadur Lala Bihari Lal. Rai Bahadur Lala Mathura Prasad Mehrotra. Kunwar Bisheshwar Dayal Seth. Raja Jagannath Baksh Singh. Mr. E. M. Souter. Rai Bahadur Babu Vikramajit Singh. Pandit Iqbal Narayan Gurtu.</p>
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## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## DISTRICT BOARD, SAHARANPUR.

\* 1. **Chaudhri Mangat Singh :** (a) Is it a fact that the Commissioner of Meerut division has twice granted extension of service to the secretary of Saharanpur district board? Is he more than sixty years of age?

(b) Will the Government be pleased to put before the Council the rule or the regulation under which the said Commissioner has done so?

**The Hon'ble Nawab Muhammad Yusuf :** (a) (1) Yes.

(2) No.

(b) A copy of the rules is placed on the honourable member's table.

(See Appendix A, page 185.)

**Pandit Brijnandan Prasad Misra :** Will the Government be pleased to state the exact age of this man?

**The Hon'ble Nawab Muhammad Yusuf :** He will be 56 towards the end of this month.

**Chaudhri Mangat Singh :** Were there any exceptional reasons for granting this extension?

**The Hon'ble Nawab Muhammad Yusuf :** Apparently efficiency.

**Chaudhri Mangat Singh :** Was there a resolution of the district board that no further extension should be granted to this gentleman?

**The Hon'ble Nawab Muhammad Yusuf :** I am not aware of it.

**Chaudhri Mangat Singh :** Will the Government be pleased to kindly inquire?

**The Hon'ble Nawab Muhammad Yusuf :** I think no useful purpose will be served, as the Commissioner has already taken action.

\* 2. **Chaudhri Mangat Singh :** (a) Will the Government be pleased to state the amount of standardized expenditure which the Saharanpur district board has to make on vernacular education?

(b) What is the amount of the contribution which the Government gives to the said board under the three years' contract?

(c) Will the Government be pleased to place on the table the statement showing the standardized expenditure of each district board and the amounts of contributions which the Government gives to the district boards in these provinces?

**The Hon'ble Rai Rajeshwar Bali :** (a) Rupees 1,48,930.

(b) Rupees 29,300 plus Rs. 30,000 (for general purposes).

(c) A statement is laid on the table of the honourable member.

(See Appendix B, page 186.)

**Mr. C. V. Chintamani :** Will the members be supplied with copies of the statement before the Education demand comes on?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

**Chaudhri Mangat Singh:** May I inquire whether the sum of Rs. 29,000 is required for education alone, or is there any other grant for education?

**The Hon'ble Rai Rajeshwar Bali:** This grant is for education.

\* 3. **Chaudhri Mangat Singh:** Will the Government be pleased to give the mileage of the metalled and unmetalled roads of the district board, Saharanpur?

**The Hon'ble Nawab Muhammad Yusuf:** The total mileage of metalled roads is 29 and that of unmetalled roads 416.

**Chaudhri Mangat Singh:** Have the Government any intention to give any contribution or loan to the district board for the extension of *pukka* roads in the district?

**The Hon'ble the President:** That does not arise out of the question on the notice paper.

\* 4. **Chaudhri Mangat Singh:** (a) Will the Government be pleased to state the amount of expenditure sanctioned by them for the education of the depressed classes in Saharanpur district?

(b) How many schools are there for these classes?

(c) How many children of these classes read in such schools?

(d) How many teachers of such schools belong to the depressed classes?

**The Hon'ble Rai Rajeshwar Bali:** (a) The minimum expenditure, prescribed by Government, on the separate education of depressed classes by the Saharanpur district board is Rs. 500 per annum.

(b) In rural areas 2; in urban areas 9.

(c) In rural areas 58; in urban areas 233.

(d) None.

\* 5. **Chaudhri Mangat Singh:** (a) Will the Government be pleased to state how many hospitals and dispensaries in district Saharanpur are financed and controlled by the district board?

(b) Is it a fact that all these dispensaries are situated either within the municipal or notified or town areas?

(c) What is the average number of the patients treated daily at the dispensary of Gangoh in district Saharanpur?

(d) What is the amount of the money which is sanctioned for the purchase of medicines in the said dispensary?

**The Hon'ble Rai Rajeshwar Bali:** (a) There are six dispensaries in the district which are financed and controlled by the district board. There is also a subsidized dispensary at Raipur in the *Ghar* area of the district.

(b) All these dispensaries are situated either within the municipal limits or town areas.

(c) The daily attendance of both in and out-patients in the branch dispensary at Gangoh was 156.31 in 1926.

(d) Rupees 600 are sanctioned for the current year for purchase of European medicines in the branch dispensary at Gangoh.

## HONORARY MAGISTRATES OF SAHARANPUR.

\* 6. **Chaudhri Mangat Singh** : Will the Government be pleased to place on the table a statement showing the names of the honorary magistrates of district Saharanpur, together with their literary qualifications stating the highest university examinations which they have passed ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : A statement giving the names of the honorary magistrates is placed on the table. Nos. 21 and 25 are graduates, No. 29 has passed the intermediate examination, and No. 31 has passed the L. Ag. Diploma examination of the Agricultural College.

(See Appendix C, page 189.)

**Pandit Brijnandan Prasad Misra** : What about the rest ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : They do not possess any educational qualifications of any university.

**Pandit Badri Dutt Pande** : How many are there who cannot read and write ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I hope none.

**Chaudhri Mangat Singh** : How many are there who can write the judgement themselves ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I think all of them can write judgements in one or other of the vernaculars.

**Chaudhri Badan Singh** : How many of them can only sign ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I think every literate man can sign.

## TERMINAL TAX ON COUNTRY CLOTH IN MUNICIPALITIES.

\* 7. **Chaudhri Mangat Singh** : (a) Is the Government aware that terminal tax on indigenous cloth in Dehra Dun municipality is far lighter than that on foreign-made cloth ?

(b) Will the Government be pleased to state why should the other municipalities be not required to adopt the same arrangement ?

**The Hon'ble Nawab Muhammad Yusuf** : (a) The terminal tax on *garha* and certain other country cloth is lighter than that on foreign cloth.

(b) Government do not want to interfere with the discretion of the municipalities in the matter.

\* 8. **Rai Sahib Lala Jagdish Prasad** : [Postponed at the request of Government till March 25, 1927.]

REVISION OF *wajib-ul-arzes*.

\* 9. **Rai Sahib Lala Jagdish Prasad** : (a) With reference to unstarred question No. 2 asked by me at the Council meeting of December 17, 1925, and unstarred question No. 10 of March 11, 1926, will the



Government be pleased to state the names of districts where *wajib-ul-arzes* may be under revision consequent on settlement operations in the current and the next financial years?

(b) Do Government intend to issue orders to settlement officers to the effect that in the revised *wajib-ul-arzes* the word "menials" be not used for village carpenters and blacksmiths, etc., but be replaced by some such term as "village "artisans" or professionals"?

**The Hon'ble Sir Sam O'Donnell:** (a) (1) Agra, (2) Unao, (3) Partabgarh, (4) Rae Bareli, (5) Bara Banki, (6) Budaun, (7) Lucknow, (8) Hardoi, (9) Sitapur, (10) Bijnor, and (11) Garhwal.

(b) In the new *wajib-ul-arzes* are being recorded only those eight matters which section 84(1) and section 85 of the Land Revenue Act make it necessary for the settlement officer to record, and in addition a few special village customs relating usually to irrigation which he has been directed to record under section 84(3). It is improbable that in any of these matters there will be any occasion to refer to village carpenters and blacksmiths, but should such occasion arise the suggestion of the honourable member will be borne in mind.

#### VERNACULAR TEACHERS.

\*10. **Pandit Badri Dutt Pande:** (a) Have the Government seen the resolutions passed at the All-India Vernacular Teachers' Conference held at Lucknow?

(b) Are there any proposals for providing time-scale for these low paid teachers?

(c) If not, do Government intend to appoint a small committee to go into and redress the grievances of these teachers?

**The Hon'ble Rai Rajeshwar Bali:** (a), (b), and (c) The reply is in the negative.

**Babu Sampurnanand:** Is there any time-scale for vernacular teachers in these provinces?

**The Hon'ble Rai Rajeshwar Bali:** No.

#### MAN-EATING TIGERS.

\*11. **Pandit Badri Dutt Pande:** Does the Government know that two or three man-eating tigers are playing havoc in *pattis* Chaugarh and Koshian of the Naini Tal district? Will the Government be pleased to take early steps for their extermination?

**The Hon'ble Sir Sam O'Donnell:** The honourable member is referred to the answer given to starred question No. 83 on March 4, 1927.

*Copy of starred question No. 83 asked by PANDIT GOVIND BALLABH PANT SAHIB, and its answer given on March 4, 1927, referred to in answer to starred question No. 11 for March 10, 1927.*

#### QUESTION.

\*83. Can the Government state the number of human beings killed by wild animals in Kumaun during the last twelve months?

Is it a fact that some persons have been killed by a man-eater in Koshian and similarly in the eastern *pattis* of Naini Tal district recently? If so, how many? What action has been taken to protect people against such depredations?

Is it the intention of Government to remove all restrictions in the matter of shooting of dangerous wild beasts and to direct the local authorities to issue licences of breech loading guns freely to the people living in the neighbourhood of forests?

## ANSWER.

\* (1) So far as is known, 41 persons were killed by wild animals in Kumaun during the last twelve months.

(2) Five persons were killed in Koshian, four in the eastern *pattis* round Chaugarh, and one near Rathighat. It is believed that three different tigers are responsible. All have been proclaimed and rewards offered for their destruction. There is reason to hope that one was recently killed by an officer from Ranikhet, but it is impossible to verify the fact.

(3) Draft rules have been framed increasing the rewards for tigers in the hills and removing certain restrictions. The Kumaun Forest Committee has also proposed that every holder of a licence for crop-protection should be allowed to kill tigers and leopards, wherever found, within or without his village. This is being examined. Gun licences are freely given, but the guns are found in practice to be used against less dangerous game.

## DRY FUEL IN KUMAUN.

\* 12. **Pandit Badri Dutt Pande :** (a) Does the Government know that in Kumaun (especially in the Almora district) dry fuel is being collected and burnt by daily labourers deputed by the Forest department?

(b) Do Government intend to stop this practice which deprives the poor villager of his right of collecting dry fuel?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) The only case known is the burning of slash, the refuse and débris left after fellings, where the villagers do not collect and remove it. This is essential in the interests of the fire protection of the young crop.

(b) No, it does not affect the villagers, as only surplus felling débris is burnt which the villager does not collect.

**Pandit Badri Dutt Pande :** Cannot this slash be removed and placed at a convenient place from where the villager can take it?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** My information is that we try to induce the villagers to take away as much as they can and what they do not take away we have to burn.

**Pandit Badri Dutt Pande :** Will it cost the Government anything if it is conveniently placed? My question, I think, has not been answered. You are burning the grass as well as the dry fuel and this is causing difficulty to the villagers.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I will consider this point.

## SPINNING-WHEELS IN SCHOOLS IN KUMAUN.

\* 13. **Pandit Badri Dutt Pande :** (a) Does the Government know that spinning-wheel (*takli*) is becoming very popular in the schools of the district boards, especially in the Almora district?

(b) Do Government intend to take early steps to introduce it, say, for an hour or half an hour in the curriculum of the vernacular schools of Kumaun?

**The Hon'ble Rai Rajeshwar Bali :** (a) Government have no knowledge and are very glad to receive the information contained in the honourable member's question.

(b) If the boards concerned submit definite proposals to the Director of Public Instruction, they will be examined.

**Mr. C. Y. Chintamani :** Have the boards liberty of action in the matter, or will they be bound by the orders of the department?

**The Hon'ble Rai Rajeshwar Bali :** I think the intention of the questioner is whether the Government are prepared to help.

**GRANT OF JOURNEY DAYS TO HILL OFFICIALS ON CASUAL LEAVE.**

\* 14. **Pandit Badri Dutt Pande :** Is it a fact that journey days on casual leave are granted to the officials serving in the Kumaun division, G. O. No. 4695/II—392 of November 14, 1917? Do Government intend to extend this concession to hill officials serving in the plains when proceeding on leave to their homes in the hills?

**The Hon'ble Sir Sam O'Donnell :** Yes.

No extension of casual leave concessions is contemplated.

**FOREST STORE-KEEPERS AND RANGE ORDERLIES.**

\* 15. **Pandit Badri Dutt Pande :** (a) Will the Government state if there are any proposals for making forest store-keepers and range orderlies permanent?

(b) Will the Government say why malaria leave, which is granted to other officials, is not granted to forest store-keepers serving in the Bhabar?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Government are considering the question.

(b) Because malaria leave is not given to temporary employees. If these men are made permanent they will get malaria leave.

**FORESTS IN HAMIRPUR.**

\* 16. **Thakur Har Prasad Singh :** (a) How many forests in Hamirpur district are protected forests and are under the control of the district authorities?

(b) What is the area of such forests?

(c) What are the names of such forests?

(d) What are the rights, liabilities and duties of the Government in these forests?

(e) What are the rights of the proprietors in the forests?

(f) What was the object of the Government in declaring them protected forests?

(g) Has it been brought to the notice of the Government that wild animals have made these forests their abode and they cause great damage to the neighbouring cultivation?

(h) Is it the intention of Government to abandon these forests?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a), (b), (c), (e) and (f). The honourable member is referred to notification No. 679/I—380, dated March 29, 1912, published in the Gazette of March 30, 1912.

(d) The honourable member is referred to the Indian Forest Act (VII of 1878).

(g) Government believe the number of wild animals in these forests and the damage which they cause to the neighbouring cultivation to be normal.

(h) The answer is in the negative.

**Thakur Har Prasad Singh :** Has the Government made any inquiry about the damage done ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** We are already making inquiries.

\* 17 & 18. **Thakur Har Prasad Singh :** [*Postponed at the request of Government till March 25, 1927.*]

#### AGRICULTURAL SCHOOL, BULANDSHAHR.

\* 19. **Pandit Nanak Chand :** What is the number of resident students at the Agricultural School, Bulandshahr ?

**The Hon'ble Thakur Rajendra Singh :** Eighty-four.

\* 20. **Pandit Nanak Chand :** What is the maximum hostel accommodation at the school ?

**The Hon'ble Thakur Rajendra Singh :** The hostel was designed to accommodate 82 students.

\* 21. **Pandit Nanak Chand :** Is it a fact that recently students had to be refused admission for want of hostel accommodation at the Bulandshahr Agricultural School ?

**The Hon'ble Thakur Rajendra Singh :** Yes, for the first time in January this year.

\* 22. **Pandit Nanak Chand :** Do Government intend to extend the hostel accommodation at the Bulandshahr Agricultural School ? If so, when and to what extent ?

**The Hon'ble Thakur Rajendra Singh :** Government will obtain the views of the governing body of the Bulandshahr Agricultural School as to whether more hostel accommodation and a larger farm area are required and will then consider the question of increasing the hostel accommodation and the farm land.

\* 23. **Pandit Nanak Chand :** What is the farm area of the Bulandshahr Agricultural School exclusive of area utilized for buildings and playgrounds, etc., available for actual cultivation ?

**The Hon'ble Thakur Rajendra Singh :** Fifty-seven acres.

\* 24. **Pandit Nanak Chand :** What is the number of students in the two years' course and vernacular school teachers, respectively, with the areas reserved per head for their respective practical agriculture ?

**The Hon'ble Thakur Rajendra Singh :** Sixty-nine and eleven respectively. Forty-six acres were reserved for the former and eleven acres for the latter.

\* 25. **Pandit Nanak Chand :** Is it a fact that the area per student for practical work is insufficient ? If so, what area do Government intend to acquire for the school farm, and when ?

\* 26. Will the Government be pleased to ascertain the views of the governing body of the Bulandshahr Agricultural School as regards the sufficiency of hostel accommodation and farm area for cultivation ?

**The Hon'ble Thakur Rajendra Singh :** Government will obtain the views of the governing body of the Bulandshahr Agricultural School as to whether more hostel accommodation and a larger farm area are required and will then consider the question of increasing the hostel accommodation and the farm land.

LISTED POSTS.

\* 27. **Pandit Nanak Chand :** How many listed posts are held by the Provincial Service officers on the executive side and how many of them are Hindus ?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the Civil List.

CASTES CLASSED AS AGRICULTURAL AND NON-AGRICULTURAL.

\* 28. **Pandit Nanak Chand :** With reference to starred question No. 29, dated January 24, 1927, will the Government be pleased to lay a statement on the table showing the castes which have been classed as agricultural and non-agricultural, respectively ?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the honourable member's table. The classification adopted in 1911 has been followed to make comparison possible, but the figures for each caste mentioned in the statement have been compiled separately.

( see Appendix D, page 190).

PROVINCIAL SERVICE OFFICER AS ASSISTANT REGISTRAR, HIGH COURT, ALLAHABAD.

\* 29. **Pandit Nanak Chand :** Will the Government be pleased to inquire from the High Court at Allahabad as to when the present Assistant Registrar of the said Court is retiring and as to what objection, if any, they have to give effect to the wishes of the Council in filling the vacancy when it occurs by the appointment of an Indian officer of the Provincial Service and to lay the reply of the said Court on the table ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Chief Justice has granted to the present occupant of the post an extension up to April 14, 1928.

GRANT TO MUMFORD TENNIS CLUB, BULANDSHAHR.

\* 30. **Pandit Nanak Chand :** What orders, if any, were passed on the application for help submitted by the Mumford Tennis Club, Bulandshahr, out of the allotment for physical culture ?

**The Hon'ble Rai Rajeshwar Bali :** No allotment has been made.

ALLOTMENT FOR PHYSICAL CULTURE IN RURAL AREAS, BULANDSHAHR.

\* 31. **Pandit Nanak Chand :** Was any allotment made for physical culture in rural areas of Bulandshahr ? If not, why ?

**The Hon'ble Rai Rajeshwar Bali :** No allotment has been made. Within the limits of this small grant it was not possible to make an allotment to every district or to every deserving institution. Other cases will be considered in following years if the grant is repeated.

POSSIBILITY OF UTILIZING THE WATER OF KALI *nadi* FOR IRRIGATION  
IN BULANDSHAHR.

\* 32. **Pandit Nanak Chand:** (a) Have the Irrigation department ever examined the possibility of utilizing the water of Kali *nadi* which is allowed to run down the stream for irrigating the area to its left in Bulandshahr district?

(b) If the answer to part (a) be in the negative, then do Government intend to get the said possibility examined with an estimate of its cost and income?

**The Hon'ble Sir Sam O'Donnell:** (a) Yes.

(b) Does not arise.

ELECTION EXPENSES OF THE LEGISLATIVE COUNCIL.

\* 33. **Pandit Nanak Chand:** Will the Government be pleased to lay a statement on the table showing the amount of election expenses shown as incurred in the election expenses returns of all the candidates, successful and unsuccessful, who stood for election to the Legislative Council in the general election held in 1920, 1923 and 1926 and the bye-elections held since the first general election?

**The Hon'ble Sir Sam O'Donnell:** The statement for which the honourable member asks would be of enormous length and its preparation would entail an amount of labour which the Government do not think that they would be justified in undertaking.

WEAVING, DYEING AND PRINTING SCHOOL, BULANDSHAHR.

\* 34. **Pandit Nanak Chand:** (a) When was the Bulandshahr Weaving, Dyeing and Printing School started?

(b) What is the maximum number of students for each section, and how many joined in each section?

(c) Had any students to be refused admission? If so, how many for each section, and why?

**The Hon'ble Thakur Rajendra Singh:** (a) July, 1926.

(b) The numbers contemplated in the dyeing and printing sections each year were 20 and 5 respectively. Owing to the heavy demand for admission, 20 and 14 were actually taken.

(c) Three students for the printing class had to be refused admission for want of room.

\* 35. **Pandit Nanak Chand:** (a) Is there any advisory committee of the Bulandshahr Weaving, Printing and Dyeing School? If so, does it include any present M. L. C. representing the district?

(b) Do Government intend to appoint the present M. L. C.'s of the district on the committee? If not, why?

**The Hon'ble Thakur Rajendra Singh:** (a) Yes. The reply to the second part of the question is in the negative.

(b) The reply to the first part of the question is in the negative. As regards the second part of the question, when the term of the two ex-M.L.C.'s expires, Government will consider the question of appointing the two members of the Legislative Council who have replaced them.

COMMITTEE TO INQUIRE INTO THE WORKING OF THE INTERMEDIATE  
EDUCATION ACT.

\* 36. **Pandit Nanak Chand :** (a) Has the committee appointed to inquire into the working of the Intermediate Education Act completed its deliberations and submitted its report, or any interim report?

Have they made any recommendation regarding the opening of new (i) Government and (ii) aided intermediate college? If so, what is the said recommendation, and what is the Government's decision thereon?

**The Hon'ble Rai Rajeshwar Bali :** The committee has completed its deliberations, but has not yet submitted its report or any interim report. The latter part of the question does not arise.

ABOLITION OF TAHSILS.

\* 37. **Pandit Nanak Chand :** What tahsils have been abolished as a result of the recommendation of the Economy Committee, and what is the saving therefrom?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the honourable member's table.

(See Appendix E, page 190.)

REDUCTION OF THE POST OF A CLERK IN TREASURIES.

\* 38. **Pandit Nanak Chand :** What are the districts where one post of clerk in the treasury has been reduced as a result of the separation of accounts and audit?

**The Hon'ble Sir Sam O'Donnell :** A list is laid on the table.

(See Appendix F, page 191.)

TREASURY OFFICERS AND AMALGAMATION OF TREASURIES.

\* 39. **Pandit Nanak Chand :** What are the districts where the Government intend to substitute trained accounts officers for deputy collectors as treasury officers, and when is this substitution to take effect?

\* 40. What sadr treasuries are to be turned into sadr sub-treasuries, and with which treasury will the respective sadr sub-treasuries be amalgamated, and by what time?

**The Hon'ble Sir Sam O'Donnell :** The Government at present propose to amalgamate as an experimental measure the two treasuries at Allahabad and Partabgarh with effect from May 1, 1927. The treasury at Allahabad will be the sadr treasury for both districts and will be in charge of a trained accounts officer who will replace the present deputy collector. The treasury at Partabgarh will be reduced to a sub-treasury and will be subordinate to the Allahabad treasury.

REMOVAL OF CERTAIN OFFICES FROM ALLAHABAD TO LUCKNOW.

\* 41. **Mr. A. P. Dube :** Did the Government contemplate the removal of the office of the Criminal Investigation department from Allahabad to Lucknow some time in the year 1926?

**The Hon'ble Sir Sam O'Donnell :** No.

\* 42. **Mr. A. P. Dube** : Does the Government still contemplate the removal of the Criminal Investigation department office from Allahabad to Lucknow now or after the completion of the new Council Chamber at Lucknow ?

**The Hon'ble Sir Sam O'Donnell** : No.

\* 43. **Mr. A. P. Dube** : Does the Government contemplate the removal from Allahabad to Lucknow now or after the completion of the Council Chamber of the following offices or any of them or any of their branches :—

- (1) The office of the Inspector-General of Police.
- (2) The office of the Director of Public Instruction.
- (3) The office of the Deputy Inspector-General, Railway Police.
- (4) The remaining portion of the Secretariat ?

**The Hon'ble Sir Sam O'Donnell** : The answer throughout is in the negative. There is no Deputy Inspector-General of Railway Police. The honourable member is understood to refer to the Assistant to Inspector-General, Government Railway Police.

\* 44. **Mr. A. P. Dube** : Will the Government lay on the table the correspondence, if any, regarding such removal ?

**The Hon'ble Sir Sam O'Donnell** : Does not arise.

#### NEW COUNCIL CHAMBER.

\* 45. **Mr. A. P. Dube** : Will the Government state the number of rooms, halls and other buildings that have been already constructed in the new Council Chamber at Lucknow and also those that are to be constructed therein and the purposes to which they are to be allotted ?

**Mr. P. H. Tillard** : (a) A statement is laid on the table showing the number of rooms and the purposes for which they have been allotted.

(b) No further extensions are contemplated at present.

(See Appendix G, page 191.)

#### GOVERNMENT'S STAY IN ALLAHABAD.

\* 46. **Mr. A. P. Dube** : Is it the intention of Government to prolong its stay in Allahabad from three weeks to three months during the cold weather of every year ?

**The Hon'ble Sir Sam O'Donnell** : The Government's stay in Allahabad depends on the circumstances of each year.

**Babu Sampurnanand** : What are the circumstances that guide the Government ?

**The Hon'ble Sir Sam O'Donnell** : I am not prepared to attempt a definition.

**Babu Sampurnanand** : What is the mileage of roads between Lucknow and Allahabad ?

**The Hon'ble Nawab Muhammad Yusuf** : I must ask for notice.



ALLOTMENT FOR REPAIRING ROADS TO LUCKNOW AND ALLAHABAD.

\* 47. **Mr. A. P. Dube** : Will the Government state the amount that has been allotted by Government to Lucknow for the repairing of its roads during the year 1925-26 ?

\* 48. Will the Government state what amount, if any, has been allotted to Allahabad by the Government for the repairing of its roads during the year 1925-26 ?

**The Hon'ble Nawab Muhammad Yusuf** : A statement furnishing the requisite information is laid on the table.

(See Appendix H, page 192.)

ALLOTMENT OF MONEY FOR RE-GRADING OF POSTS IN HIGH COURT.

\* 49. **Mr. A. P. Dube** : Is the Government aware that the allotment of money given to remove congestion in the High Court has been almost used up in re-grading of a few higher posts and the posts all of which carry salaries above Rs. 100 a month, and almost nothing has been used in re-grading of posts below Rs. 100 a month ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : No allotment of money has been given.

SCHEDULE OF NEW EXPENDITURE OF THE HIGH COURT.

\* 50. **Mr. A. P. Dube** : Will the Government lay upon the table the schedule of new expenditure sanctioned for the office of the High Court of Judicature at Allahabad ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : No schedule of new expenditure for the office of the High Court has been sanctioned.

RAI SAHIB BABU RAMESHWAR LAL *versus* PANDEY RAJDHARI LAL, GHAZIPUR.

\* 51. **Thakur Shiva Shankar Singh** : Has the attention of the Government been drawn to the judgement of the District Judge of Ghazipur, dated October 30, 1926, in miscellaneous case No. 53 of 1926 [Rai Sahib Babu Rameshwar Lal, applicant, *versus* Pandey Rajdhari Lal] ? Is it true that the learned district judge found various alterations to have taken place in the numbers of general index in the record, and an addition to have been made in an application of August 6, 1926, after it had been filed in the court ? Is it a fact that about both of these matters the learned district judge had ordered a departmental inquiry to be made ? Has the departmental inquiry been made, and, if not, why ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : (a) Not until it was drawn by the honourable member.

(b) The district judge formed that opinion.

(c) Yes.

(d) The departmental inquiry has been in disposal of the case.

**Thakur Shiva Shankar Singh** : Will the Government lay before this House the result of the inquiry ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** If the honourable member will put another question after the inquiry has been made, we will be prepared to give him the necessary information.

### UNSTARRED QUESTIONS.

#### PASSING OF ZAMINDARI INTO THE HANDS OF NON-AGRICULTURAL CLASSES.

1. **Chaudhri Mangat Singh :** Is the Government aware that the zamindari of martial classes, such as Rajput, Jat, Gujar and Ahir of the western districts of these provinces, is every year passing into the hands of non-agricultural classes ?

**Mr. H. A. Lane :** A statement is laid on the honourable member's table.

*(See Appendix I, page 193.)*

#### PROTECTION OF ZAMINDARIS OF AGRICULTURAL COMMUNITIES.

2. **Chaudhri Mangat Singh :** Is the Government contemplating to devise some means for the protection of the zamindaris of the agricultural communities of these provinces ?

**Mr. H. A. Lane :** Government are examining the figures. It is too early to say what decision they are likely to reach.

#### HONORARY MAGISTRATES, ASSISTANT COLLECTORS, AND MUNSIFS IN SAHARANPUR.

3. **Chaudhri Mangat Singh :** (a) Is it a fact that in district Saharanpur there is not a single honorary magistrate, assistant collector or munsif belonging to the Rajput, Gujar, Jat, Ahir, Koli or Saini communities ?

(b) If the answer to part (a) be in the affirmative, is the Government willing to select suitable persons from the above classes for these honorary posts ?

**Mr. R. L. Yorke :** (a) Since the death of Rao Sahib Padhan Man Singh, who was a Gujar by caste, the answer is in the affirmative.

(b) Government always appoint as honorary office-holders the gentlemen whom they consider most suitable for the work irrespective of caste.

#### GRADE OF TRAINED UNDER-GRADUATES AS ASSISTANT MASTERS.

4. **Khan Bahadur Maulvi Fasih-ud-din :** Will the Government be pleased to state why trained under-graduates holding substantive posts of assistant masters in Government schools are not given trained graduates' grades on obtaining the B.A., B. Sc. or B. Com. degree privately till they pass beyond the Rs. 75 grade ?

**Kunwar Jagdish Prasad :** One of the conditions is that they must have served for six years as assistant masters.

5. **Khan Bahadur Maulvi Fashi-ud-din :** Will the Government be pleased to state why even after completing the Rs. 75 grade they are not

given the trained graduates' grade even though they may be getting Rs. 100 and over, and new trained graduates are recruited in the trained graduates' grade?

**Kunwar Jagdish Prasad:** The facts are not as stated in the question.

6. **Khan Bahadur Maulvi Fasih-ud-din:** Will the Government be pleased to place on the table a list of such graduates?

**Kunwar Jagdish Prasad:** There are no such graduates.

#### SETTLEMENT OFFICERS.

7. **Shaikh Ghulam Husain:** (a) Will the Government be pleased to state the number of district settlement officers so far appointed for the ensuing settlement operations in these provinces?

(b) Is it a fact that of the officers appointed none is a Muhammadan?

(c) If the answer to part (b) of this question is in the affirmative, will the Government be pleased to take this fact into consideration when making selections for future appointments?

**Mr. G. B. Lambert:** (a) Eight, including Garhwal. Five are members of the Indian Civil Service and three of the Provincial Civil Service.

(b) Yes.

(c) Yes, but the Government cannot undertake to base appointments of this nature on communal considerations.

#### ALLEGED BEATING OF TWO ARAB BEGGARS AT UNAO.

8. **Shaikh Ghulam Husain:** Has the Government received any report about the alleged beating of two Arab beggars in the premises of the Unao district high school where they had gone to ask for alms?

Will the Government be pleased to inquire into the circumstances under which the alleged beating took place in the presence of the head master and other members of the staff?

**Kunwar Jagdish Prasad:** (a) Yes.

(b) No inquiry is necessary, as there was a criminal case against the two Arabs and they were convicted.

#### SECRETARYSHIP OF SANDILA MUNICIPALITY.

9. **Shaikh Ghulam Husain:** Is it a fact that the candidate selected by the municipal board of Sandila for the vacant post of secretaryship of the said board has been disapproved by the Commissioner? Will the Government ask the Commissioner to give his reasons for his disapproval of the candidate and place the Commissioner's report before this Council?

**Sir Ivo Elliott:** Yes; a copy of the Commissioner's report is placed on the table.

(See Appendix J, page 194.)

#### DISTRICT BOARD, SITAPUR.

10. **Shaikh Ghulam Husain:** (a) Is it or is it not a fact that the pay of teachers of the primary schools under the Sitapur district board is greatly in arrears?

(b) Will the Government be pleased to inquire from the chairman of the said board the circumstances under which Munshi Nazir Hasan, sub-overseer, and three ahlmaks of the board were dismissed from their posts?

(c) Has the chairman of the board received any memorial from the inhabitants of Aurangabad praying for the opening of a vernacular final school at Aurangabad, and what action has the chairman taken regarding the said memorial?

**Sir Ivo Elliott:** (a) It is not a fact.

(b) Munshi Nazir Husain was dismissed for selling a *shisham* and *babul* tree worth about Rs. 25 for 12 annas and submitting a fictitious list of bidders.

It is not the fact that three ahlmaks were dismissed.

(c) Yes. No action was taken owing to financial difficulties.

#### MUSLIM AND NON-MUSLIM PATWARIS IN UNITED PROVINCES.

11. **Shaikh Ghulam Husain:** Will the Government be pleased to state the number of Muslim and non-Muslim patwaris in the United Provinces?

**Mr. H. A. Lane:** The honourable member is referred to the answer given to Chaudhri Jaswant Singh Sahib's unstarred question No. 19 on December 14, 1925. The numbers have not changed appreciably since that answer was given.

*Copy of unstarred question No. 19 asked by CHAUDHRI JASWANT SINGH SAHIB, and its answer given on December 14, 1925.*

#### QUESTION.

Will the Government be pleased to state—

(a) How many patwaris are Hindus and Muhammadans separately?

\* \* \* \* \*

#### ANSWER.

(a) There are 26,161 Hindu and 1,248 Muhammadan patwaris in the United Provinces.

\* \* \* \* \*

#### MUSLIM HONORARY MAGISTRATE IN MISRIKH, SITAPUR.

12. **Shaikh Ghulam Husain:** Is the Government aware that there is not a single Muslim honorary magistrate in tahsil Misrikh, district Sitapur?

**Mr. R. L. Yorke:** Yes.

13. **Shaikh Ghulam Husain:** Do Government intend to ask the district magistrate to recommend to the Government at least one Muslim gentleman who has the necessary qualifications for appointment to the post of honorary magistrate?

**Mr. R. L. Yorke:** No.

#### FIRE-ARMS LICENCES TO VILLAGE MUKHIAS.

14. **Shaikh Ghulam Husain:** Has the Government received any representation regarding the grant of licences to the village mukhias for keeping fire-arms?

**Mr. G. B. Lambert:** No.

BRIDGE OVER THE RAPTI IN GORAKHPUR.

**15. Rai Bahadur Babu Abhainandan Prasad :** Has the Board of Communications decided to construct a permanent bridge at any place between the Bhauwapar and Bart ghats over the Rapti river in the Gorakhpur district?

**Mr. P. H. Tillard :** No. The Board of Communications has agreed to the diversion of the Gorakhpur-Dohrighat road so as to combine with the Gorakhpur-Basti road in having only one pontoon bridge crossing over the Rapti.

When this diversion has been made, the question of a permanent bridge will be considered.

**16. Rai Bahadur Babu Abhainandan Prasad :** If the answer be in the affirmative, then has the Government sanctioned the construction of the bridge?

**17.** What amount of expenditure will the Board of Communications require for the construction of the bridge?

**Mr. P. H. Tillard :** Do not arise.

SELLING OF A PLOT IN PARGANA HANSPUR, GORAKHPUR.

**18. Rai Bahadur Babu Abhainandan Prasad :** Does the Government intend to sell its plot of land along with trees in Sahijanwa, tappa Gahasanr, pargana Hanspur, district Gorakhpur, which was formerly used for encamping purposes? Is it a fact that it does not yield any income to the Government at present?

**Mr. H. A. Lane :** Government have no intention of selling the plot in question. It yields an annual income of Rs. 124-4.

BUDGET, 1927-28.

GENERAL DISCUSSION.

**Raja Jagannath Bakhsh Singh :** The Hon'ble the Finance Member has rightly described the debt position of these provinces at great length in his financial statement which he presented on March 4. The honourable member for the University has in a lucid speech dealt with it at very considerable length also. There are a few points, however, which I would like to make before this House as far as the debt position is concerned. It was said that a sum of 2 crores and 50 lakhs existed before the Reforms were introduced in these provinces. After the introduction of the Reforms, another sum of 201 lakhs was borrowed from the Government of India for expenditure on unproductive works. So, Sir, the unproductive debt of these provinces amounts to 451 lakhs. The Development Loan which amounted to 420 lakhs has all been spent. The honourable member for the Allahabad University said that about a crore of rupees was spent out of this fund on the Sarda canal, for which, as a matter of fact, the loan was chiefly raised. I think that I am right in saying that even one crore has not been spent on the Sarda canal and that almost the whole of the amount has been spent on unproductive purposes. It will be remembered that the Development Loan was taken chiefly for financing the Sarda canal. I admit that other development purposes were included, but we could not foresee that most of the money would be spent on unproductive works and that only about one-fourth of the loan would be spent on the Sarda canal.

[Raja Jagannath Bakhsh Singh.]

Then, there is another point. We find that there is no money left in the loan fund. So much so that the Government had to borrow 11½ lakhs, which have been spent on the construction of the Council Chamber, from the Government of India. Why is this so? There ought to have been 148 lakhs still in the Development Loan. Where has this money gone to? These are the questions which laymen like myself should like to be answered. So far as I can see this balance of 148 lakhs seems to have been utilized in meeting budget deficits in past years. I submit that this should not have been considered a proper charge on the Development Loan. Then again, Sir, it means that over and above the debts that have been mentioned in the financial statement by the Hon'ble the Finance Member there is an additional debt of 148 lakhs, which amount this Government have spent from the Development Loan fund in meeting their deficits. About this point, Sir, we do not find any explanation or reference in the statement of the Hon'ble the Finance Member, and we do not know when that debt is likely to be paid off. I would only say, or rather supplement the argument of my honourable friend the member for the Allahabad University, by saying that the position as to debts in these provinces is very acute. It would be seen from the budget that it is from the Famine Insurance Fund that we are paying the interest on the money that has been spent on the Sarda canal. This should certainly have been paid from the annual income of the provinces; but I think that the reason why it has not been paid from the annual income is that there is no money to pay for that. I might say that the pre-reform debt of this Government, that is, the sum of Rs. 2,50,00,000, was almost all spent on constructing protective canals in Bundelkhand. Those canals are not productive; they are merely protective canals, and a layman like myself would think that a proper charge would have been the Famine Insurance Fund for that purpose, but the experts have decided the other way. Then, Sir, when the amount spent on unproductive canals is not a proper charge on Famine Insurance Fund, how can the interest on a sum spent upon productive canals be a proper charge on the Famine Insurance Fund? So, Sir, this only shows clearly that the debt position which the Hon'ble the Finance Member has been able to describe as satisfactory is not satisfactory at all.

Before going to the question of development in Agriculture department I would like to discuss a small item in the budget which is a sum of Rs. 9,400 shown against the railways. The honourable members would see that no income is obtained under that head. There is only an expenditure of Rs. 9,400, and I find that it is the interest on a sum spent upon a certain factory, viz., the Clutterbuckganj factory, in constructing a railway siding for that factory. The factory is a paying concern, and I do not know why interest on a sum invested for the purpose of a factory should be paid by the Government. Is not the factory prepared to pay for the railway siding which has been made in their interests? This is another point which I have not been able to understand.

I shall now refer to the development made in the Agriculture department. The Hon'ble the Finance Member while speaking of notable progress, as he called it, in the department of Agriculture, said:—"In the Agriculture department notable progress has been made in the production and distribution of seed, demonstration processes, construction of tube-wells and the expansion of private farms."

I would make an attempt to examine this statement as far as I can do so in connexion with general debate. I know, and the Council does know more than myself, that a large amount has been spent of late years in opening seed stores and distribution of seed to the cultivators. I admit that it is on the right lines, but, Sir, it can only be on the right lines if the results are beneficial to the population. What is the object in distributing seed and opening seed farms? The object is to produce pure seed of good quality. Now, Sir, where there is a market for pure seed of good quality, what are the prices in the market for pure seed? I hope the honourable members will agree with me that there is no demand for pure seed of good quality in the markets at the present time in these provinces. The position is this. For instance, if wheat is selling at seven seers per rupee, I mean the adulterated grain, then hardly for pure seed an allowance of one pound may be given, i.e., pure seed may be purchased at  $6\frac{1}{2}$  seers. So a farmer who has taken all the pains and expenditure to produce pure seed by the help of these seed stores and seed distribution can only get a profit of half a seer per rupee in the market for the produce, while on the other hand if he adulterates the grain, if he mixes small grain and dust in his produce, he can raise his  $6\frac{1}{2}$  seers to eight seers and sell it at 7 seers, and get a profit of one seer more. Thus, Sir, there is no demand for pure seed in the market unless the market facilities are improved, and unless a demand is created for pure seed in the markets, till then it is certainly not much in the interest of the cultivator to spend a large amount on pure seed, and in making large seed stores and godowns like those which exist and which are being constructed. So, Sir, I try to make out that the distribution of seed and the making of so many seed stores without creating any facilities in the market for the quality of grain is not a move in the right direction.

The second item is construction of tube-wells. About this—how are we to judge about the results of tube-wells? The best method for judging the results of the tube-wells is the extent of intensive cultivation carried on in these provinces. This statement is not mine; it has been made by the Director of Agriculture in his report on the Agriculture department in 1925, and I agree with him that this is so. So in order to judge the success of tube-wells we have to see how intensive cultivation is carried on, and I will only quote a few figures from the latest report of the Agriculture department as to what is the position of intensive cultivation in the demonstration farms that are carried on by the department. Out of a number of demonstration farms in the five circles of the Agriculture department, the Jasoda farm in Muttra gives a profit of Rs. 110 for an expenditure of Rs. 4,700 and odd. Another farm, Kalyanpur, in Cawnpore—a seed farm—gives a profit of Rs. 270 for an expenditure of Rs. 27,954. The third, the Etawah farm, gives a profit of Rs. 253 for an expenditure of Rs. 3,924. These figures do not show—the profits are so small in these farms that we cannot admit that any amount of intensive cultivation is carried on in these farms or that they are a success. I have quoted these two farms, but I can say that the demonstration farms in general do not pay a percentage of profit which could be taken as an average profit of the farms in which intensive cultivation is carried on. As a result of this, Sir, it is clear that the tube-wells that are built in the farms carried on by Government are only either for show or are in the experimental stage. At least they cannot be said to have been a development of agriculture in these provinces as it was made out in the financial statement. The

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third point—the extension of farms—only shows a demand for development of agriculture on the part of the population. It gives no credit to the Government that the number of farms have increased. I think, Sir, that if there were facilities enough for the cultivators, the number of farms would have multiplied much more than they have done in this period. So, Sir, in brief, if I am not exceeding my time limit, the position of the agricultural development is this that there is hardly one demonstration farm in every district. The sum of between two and three lakhs spent on experimental purposes for a long time has not yet brought even one single fodder crop that would suit the needs of the whole province. The fodder question is very acute in these provinces, and it has been admitted by the Government and the non-official members of this House—there are no two opinions on the subject. But the experiments carried out in the five experimental farms have not yet been successful in introducing one popular fodder crop for these provinces. Then, Sir, there are two ways of agriculture, one bullock power and the other machinery. I have said that there does not exist even one demonstration farm in every district for the guidance of the cultivators. Then, Sir, the big people, the capitalists who want to exceed bullock power limits, for them there is not a single farm in these provinces which could give guidance to large farmers who wish to go in for machinery. This is the condition in brief of the agricultural development in these provinces, and there can be no complaint to the Government which has to pay interest from the Famine Insurance Fund on sums which should have been paid by the annual income. That is, the Government has not got enough money for spending on development purposes. If that is so, I have no objection in accepting that statement. But on the one side the debt position is so acute, and on the other side it is said that progress in agriculture is notable. I for one do not accept the position that the Government is doing enough in the development of agriculture which is the chief industry of the province.

**Thakur Manak Singh :** Once again we are having a deficit budget, and once again we are having a chorus of congratulations on the Finance Member for having presented the budget. But, Sir, to a man in my frame of mind it always looks like the case of Nero fiddling while Rome was burning. In this connexion before you are pleased to stigmatise my observations as uncharitable you will please pause and ask the reason why I utter them. Sir, we all know that the administration in India is now the costliest in the whole world. I say “costliest”, because, having regard to the condition of the population of this poor country, we have the administration as the costliest in the world. There is an adage in these provinces which says :—مرغي بیچارہ جان سے گئی اور ملا کو مزا نہ آیا i. e., the fowl lost its life, but the Mulla did not find it palatable. While the country is groaning under the incubus of the cost of this administration, the administration of the country wants more and more money. Now, Sir, one thing is clear. We must find a remedy for all this. The answer would be (I can well anticipate it), the answer would be :—“Your country is hopelessly poor and the cost of our administration is about the irreducible minimum of any civilized administration.”

With regard to this observation, I accept the first portion of the proposition, while I repudiate the second portion of the observation. I



accept the statement that India, and for the matter of that, this province, is very poor; but I do not accept the statement that the cost of administration is about the irreducible minimum. Whereas I accept the position that we are poor, we must nevertheless be able to find out an efficient administration according to our means. Sir, there are in these provinces people who have incomes of lakhs of rupees and there are others who have got incomes of hundreds of rupees. It does not follow that those who have got incomes of lakhs have not got deficit budgets and those with incomes of hundreds have all deficit budgets. The fact of the matter is that we must cut our coat according to the cloth. It would be asked, what would I suggest? What I would suggest is this. On the one hand, we have the fact of the appalling poverty obtaining in these provinces; we have, on the other hand, a very costly administration. For a province with this income we must find out an administration whose cost is commensurate with the income of its people. It was probably Lord Bacon who said:—"Study all times to know what is true, study the present to know what is fit."

We must study our demands and find out what is fit for us. It is all very well to have ideal constitutions and ideal methods of administration in all matters, but if you find a method of administration which is fit for your purpose, you must come down to it. I will make my point clear by an example. For an accountant who is well versed in the method of accounting and who is English-knowing you will pay a salary of Rs. 500, whereas if you are to be content with a Hindi accountant, one who is well versed and efficient in Hindi, you will be able to get him for a much smaller amount. If we are poor, we have got to reconcile ourselves to that position, and we must accept for our administration those standards of cost which are compatible with our means.

Now I come to the other question, viz., that it is a very advanced form of administration. As I said in the beginning I do not accept this claim. Now we all know it to our grief that in all that go to make for efficient administration of a country, viz., moral, material, intellectual and physical progress of a country, we are very badly served. We are aware that according to the census of 1921 the percentage of literacy in these provinces is 3·6. We further know that so far as the physical conditions obtaining in these provinces go we have an appalling death-rate of about 39 per mille. We of course are aware that the general longevity of the people of this country is between 21 and 22 years. This is so far as the mental and physical condition of the people is concerned. Coming to the material prosperity of the people we all know that the average income of the people of this country is Rs. 27. We do not know the average income of the people of these provinces. Rs. 250 is the estimate of wealth *per capita* in this country. For this huge cost this is the result that has been obtained in the material, mental, moral and physical condition of the people of these provinces. As I said before on the floor of this House we have got to revise our notions of propriety in the matter of administration. It is all very well for us to run after the will-o'-the-wisp of the ideals of foreign administrations. But situated as we are, being a poor country and being a poor province, we have to make up our minds and reconcile ourselves to a less costly form of administration. I do not want to be taken for a visionary. I want to make my point quite clear. On the floor of this House I have already indicated before, that with a view to obtaining greater percentage of literacy, we must lay greater emphasis

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on the form of teaching that we should have for these provinces. We can have primary and secondary education in vernacular and even a modicum of higher education. With regard to the improvement of the physical condition of the people of these provinces, I should like to suggest that instead of having costly allopaths we might employ hakims and vaidas. It would be enough, in my humble opinion, if we reduce the number of allopathic dispensaries to say one for each district. The moral improvement of the people can be effected if the complete divorce between religious and secular education is removed. Of course, in schools, where the students of a particular denomination preponderate, facilities might be afforded for religious instruction to them. The upshot is that the administration should look to the interests of all people in these provinces. If you change one thing only, you spoil it. What is wanted is a change all round. It is a matter of fundamental policy that we should revise our notions of what is suitable and fit in the particular conditions of these provinces and act according to it instead of running after the will-o'-the-wisp. These are the general observations which I wish to make with regard to the policy of the budget.

Now I turn to the budget in particular. As has been said by various honourable members, we are a very poor province. We have been spending crores of rupees on unproductive objects.

I would here mention such luxuries and costly schemes as have been introduced . . . .

**The Hon'ble the President :** This point has already been dealt with.

**Thakur Manak Singh :** All that I wish to say with regard to this point is that loans should not be spent on things of ornaments and luxuries, but on the other hand they should be spent on things which meet the requirements of the people of these provinces. I would not mind if, in accordance with the programme of education, we were to spend a loan for the purpose of increasing the literacy of these provinces. With these observations I resume my seat.

**Lieut. Raja Durga Narayan Singh :** We all appreciate the manner in which the budget for the year 1927-28 has been presented to us, for which we ought certainly to be thankful to the Finance department. But at the same time it is regretted that we are having a deficit budget before us. We are marching towards the reforms, and a Commission is shortly to come to India in this connexion. The reforms were given to us so that we may be able to improve the condition of our tenantry, cities, and persons who die for want of medicine. But we find a drawback in our way. We cannot improve the condition of those who pay taxes for our enjoyments. We enjoy lights, fans and other things, but the money comes from the rural areas and we give them very little for their comforts and benefits. As you know, Sir, India is an agricultural country and it is declining day by day. There are many reasons for its decline, but I only wish to lay before the House a few points in this connexion. The canal system has been started for the benefit of the tenants, which no doubt does a lot of good to them. But it is regretted that they do not get water at the proper time when they require it for their crops. I therefore request the Government to take a note that whenever a representation is made to the Executive Engineer, he

will please see the needs of the tenants and supply them with water, so that their crops may not be spoilt. Where there are no canals, I suggest that the Agriculture department should instruct the boring inspectors to go in the villages and tell the people how to sink wells cheaply. It is known, Sir, that people do not get their meals even once in 24 hours. I think we are all sorry for that, but we expect from the Government that it should take steps to improve the condition of the people, because such a state of affairs should not exist under a civilised Government. I know, Sir, I know that it will be pleaded on behalf of the Government that on account of shortage of money they cannot help the tenants in sinking wells. But some sort of system should be devised to give aid to the tenants for sinking wells, so that where there is no canal the tenants should take advantage of wells. I find, Sir, that in each and every district one agriculture inspector is posted to look to the amelioration of the agricultural class, but invariably that inspector lives in the city and he seldom goes to rural areas to educate the people and to give them such education as would tend to improve their crops. So, Sir, I will request the Hon'ble Minister for Agriculture to take a note of this and instruct the inspectors that they should go to villages, call tenants at meetings and educate them how to make improvements in agriculture. It is no use giving seeds to big tenants. Big zamindars do supply good seeds to their tenants and they are benefited by it. Merely supplying seeds, in my humble opinion, cannot improve the condition of the tenantry.

I am glad that the Hon'ble Minister for Education has come, and I now wish to say a few words about education. The system of education in this province is defective. Thousands of boys pass the middle class examination every year and there is nothing for them to live upon.

**The Hon'ble the President :** The honourable member had better reserve these remarks for the day when the Education department budget will be discussed.

**Lieut. Raja Durga Narayan Singh :** Thank you, Sir. The question of unemployment in the province is growing very acute day by day. We are providing the higher education, the primary education and other education for our boys, but we do not look to their future employment. I think it is the duty of the Government to see that they are engaged in such professions as will be beneficial to their lives. A boy after passing his middle class examination goes from door to door searching recommendations for patwariship, searching recommendations for ziladarship, but he does not care to sow and plough his own field. So I submit that in these schools such education should be given as would profit the boys in taking up their profession after studies. These boys consider it beneath their dignity to sow and plough because they are trained from their boyhood differently.

I then find that medical relief in rural areas is very scanty. The district boards have started dispensaries for the indigenous system of medicine, but to my regret the Government does not give them sufficient help for their maintenance. In the budget of 1926-27 there was a provision of about Rs. 53,000, but this year I find that there is a provision of Rs. 50,000 only. Can any one think that Rs. 50,000 will be sufficient for our provinces. There are 48 districts and it comes to only one thousand per district. So I think this is an inadequate provision for the indigenous medicines. The allopathic dispensaries cost much and thus the boards

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are not in the financial position to start these dispensaries. So I would request the Hon'ble Minister in charge that while presenting the supplementary estimates in April he will be pleased to increase the head of indigenous medicine. I understand that district boards have started industrial schools, but the Government does not give due care to encourage them. This is one thing by which the Government can solve the unemployment question. If these things are considered by the Government, I hope the rural peasantry and the rural population will be much benefited.

**Mr. C. Y. Chintamani:** "These two days that are allotted to us by those who hold our destinies in their hands for the general discussion of the budget are looked upon by us non-official members as more or less a field day when we can run amock with impunity without the restraining influence of the school master—I mean the Finance Secretary." I do not think I could find better opening words for my observations of today than these with which you, Sir, opened your speech in the general budget debate of 1924. I have only to make this amendment in what you then said out of consideration for the Finance Secretary. He objected to being a school master. He said he would only be happy if he were a university professor who could lecture. The Finance Secretary knows my deep sense of his ability as a Finance Secretary, and I most cheerfully concede to him the higher status without which he would not be happy. "I congratulate the Finance Secretary on the lucid financial statement which he has presented to us." From my schooldays onwards these were the words with which I became familiar as the customary, the orthodox opening sentence of every speech of a non-official member in a budget discussion, and not often I was amused to find that even where a financial statement might be the most obscure, might have baffled the wits of non-official members to understand, still it was considered that there must be the congratulations on the lucidity of the financial statement. This compliment became so meaningless that one year, I remember a predecessor of Mr. Blunt's, a hard-headed Scotsman, a man of exceptional ability whose services were lost to this province all too soon, simply declined to take notice of the congratulations showered upon him on the ground that they were a mere convention. The Hon'ble the Finance Member is not a Scotsman, but in spite of his race he is no less hard-headed than Scotsmen generally are supposed to be, and if I have not forgotten all that I knew about him—and I knew a great deal in earlier years—I am quite certain that he would be the last man to complain that these customary congratulations were not bestowed upon him if they did not proceed from the heart. I for one cannot honestly and conscientiously offer what one honourable member did yesterday afternoon, "my respectful congratulations and thanks" to him for this most unsatisfactory budget. I do not say when I characterize the budget as unsatisfactory, that it is specially the fault of the Finance Member or the Finance department. That is not what I mean. I do not question the supreme capacity of the Finance Member, the Finance Secretary and of the able Deputy Secretaries whom we are supposed not to see. I do not question their ability for the task which has been allotted to them. The Finance Member has many gifts—a man of exceptional ability, a man of unflinching eloquence, of unsurpassed industry, of wide reading. Yet, as Mr. Gokhale once said of a greater man, one gift has

been withheld from him—a gift which we should have thought would come most naturally to him as an Irishman—the gift of sympathetic imagination.

This is the last of the financial statements which he was to present to the Council, and one would have thought that there would be much more of the human element in the speech which he made on Friday than there actually was. In fact, until we came to the concluding passages of the speech, it might as well have been a report printed and circulated as what was called a speech.

Sir, the financial position of the province is not one to be envied. The reformed system of Government came into being in the year 1921, and speaking early in that year in this Council, the Finance Member's predecessor, the Hon'ble Mr. Porter as he then was, stated to the Council:—"It is generally realized that the result of the reform scheme has been to impose new charges on our finances, but it must not be forgotten that a further result has been to make a large addition to our revenues. That addition is considerably over 50 per cent. of the former figure." But at the very start the new Government was handicapped by the fact that not less than Rs. 1,33,88,000 out of the new revenue was absorbed by the increases of salaries given to the superior staff and the subordinate establishment combined. All the same an optimistic view was taken, and in introducing his budget six years ago, the Hon'ble Mr. Porter reassured the Council, naturally interested in the subjects which are called "Transferred," in these terms:—"The subjects in which throughout our service most of us have taken the keenest interest are those which provide for the future improvement and welfare of India and are in the main transferred subjects." But from 1921 till the present day every single year has closed with a deficit, and, but for the remission of the provincial contribution announced elsewhere by the Finance Member of the Government of India, the year 1927-28 would also close with a deficit. Whether one looks at the revised estimates or actuals one finds this monotonous tale of deficit after deficit from 1921-22 down to the present day. Only in 1925-26 they were able to avoid borrowing in order to meet the deficit on account of the announcement of a partial remission of the provincial contribution. In 1922 there were proposals for new taxation which, with your help among others, the Council rejected, and in 1923 when the present Finance Member took charge and laid before the Council his first budget in terms of candour, which was duly appreciated by every one, you, Sir, took a grave view of the financial prospect when you said that his speech "revealed to us the naked precipice of our bankruptcy." In 1924 the Finance Member made a raid upon the Famine Insurance Fund in order to pay the interest on the capital spent upon the Sarda canal. Until then, as you in your subsequent criticism rightly remarked, the Sarda canals were being classed as a productive work which in course of years would not only pay the interest on the capital expended, but also yield a margin of profit. But in 1924 the Hon'ble the Finance Member said that it was only to a small extent productive that it was in the main protective, and that therefore he was justified in drawing upon the Famine Insurance Fund to pay the interest on that work. I cannot do better in offering my criticism upon that diversion of the Famine Insurance Fund than to employ the language in which you, Sir, criticized it. Speaking in the budget debate on March 5, 1924, you said:—

"It is said that the interest on the Sarda Works and the interest on protective canals, which were hitherto classed as productive works, are

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now to be met out of the Famine Insurance Fund. I hope Government will tell us what canals those which, though looked upon as productive hitherto, will now be looked upon as protective works alone, and I do not know how far Government will be right in classing the Sarda works as protective works at all. We have been told all along that the Sarda works will bring us a handsome profit on the amounts spent over it. We find suddenly here in a passage in this statement that the Sarda works are to be looked upon as a sort of a protective work and not productive. I see in it a danger against which we must safeguard. The Sarda works, like the Ganges canal works, are not protective at all; they are being constructed to fetch some profit to the State and that brings me to the point which I had the temerity to urge again and again in this House, namely, the expenditure that is being incurred over the Sarda canal."

I have carefully looked into the rules framed under the Government of India Act on the subject of the Famine Insurance Fund, and I venture to think, with all deference to the financial Pandits opposite, that the expenditure out of the Famine Insurance Fund upon that object is not quite legitimate. Rule 2 says that "the annual assignment shall not be expended save upon the relief of famine or the construction of protective irrigation works or other works for the prevention of famine." I do not think that the Sarda canal can come within this category. Doubtless the legality of the transaction cannot be questioned, because it is further provided in these rules:—"In case of doubt whether the purpose for which it is proposed to spend any portion of the annual assignment or the Famine Insurance Fund is one of the purposes specified in paragraph 2 of this schedule, the decision of the Governor shall be final." And reading between the lines of the statement made by the Director of Audit in the last Appropriation Report, I do not think we should be far wrong if we concluded that he too had his doubts about the propriety of this expenditure. He also pointed out that the Governor had exercised his power as provided by the rules. The Director of Audit said referring to all the charges with which the Famine Insurance Fund had been saddled, out of which no less a sum than Rs. 34,94,331 was interest on capital outlay on productive works:—"The effect of this procedure was to admit against ordinary revenues a larger sum of new expenditure than would otherwise have been practicable. It is very doubtful whether the fund can go on bearing such charges in future, and the real effect is that the expected remission of the provincial contribution to the Central Government will be mortgaged." This same thing happened seven or eight years ago when the revision of the financial relations between the Local Government and the Central Government was being expected as a part of the scheme of reforms and such huge expenditure was incurred in the province and such huge commitments were made that in 1920 one of the criticisms that I heard directed against the late Lieutenant-Governor was that he was mortgaging the future resources of the province. The balance left in the Famine Insurance Fund is now very little and to a financier of the type of the Hon'ble the Finance Member it cannot but be a source of disquiet that things should be as they are. The Hon'ble the Finance Member in his speech on Friday last gave an elaborate reply to critics who pointed out that the Local Government were borrowing too much and that their debt position was not satisfactory. I find in last year's proceedings that Dr. Shafa'at Ahmad Khan devoted

a great deal of attention to this matter, but there was a much bigger critic than the learned Doctor. I find the Director of Audit also drew attention to the matter, and the Government in presenting to us one of the reports of the Public Accounts Committee in January last made their reply to that criticism and the Hon'ble the Finance Member made a much lengthier exposition on Friday last. So far as any increase of the productive debt is concerned no one need say a word. The unproductive debt stands on a different footing and the two combined are undoubtedly eating up too large a share of the provincial revenue on account of interest and sinking fund.

To what extent any Government would be justified in spending out of borrowed money upon unproductive works must be a disputed proposition. The Finance Secretary coined a phrase "indirectly productive," and that phrase was the subject of much discussion in past sessions of the Council. I remember a discussion on this floor some years ago in which my friend Pandit Hirday Nath Kunzru took serious objection to the intention of the Government to provide for the construction of a technical school building out of borrowed funds, and I defended the course the Government took. The Government in considering what class of public works should legitimately be financed out of Development Loans, I believe, fixed a certain limit. If a scheme cost a sum of money above that limit, they held that that money should come from the loan fund, and if below that limit it should not come from the loan fund. The Government have stated that they are going to spend much more than a crore of rupees out of borrowed money upon police buildings. I make my emphatic protest against that decision. Where a police building cost over Rs. 50,000 I do not know whether the same thing may be said. I am not sure if it could be said in favour of its being met out of borrowed fund, but the huge scheme of constructing police buildings out of borrowed money cannot be justified, I think, at any time—certainly not in the present financial circumstances of the province. I hope I shall not be misunderstood to mean that police buildings are not necessary. I grant that in some places they are very necessary, but they must take their chance with other buildings. In a statement supplied last session to the Council the expenditure on police buildings and other buildings, the disparity between the figures was very striking. It was the police buildings which got the largest share. I do not grudge them money provided it is given without detriment to other equally useful objects, but I do object to excessive expenditure on that item, and this from borrowed funds.

In 1924 and subsequent years there were passages in the speeches of the Finance Member about the expenditure upon transferred subjects. In 1924 there was an eloquent speech stressing the necessity as well as the desirability of such expenditure, and he defended himself and his Government against the criticism that the transferred departments were not getting enough money. In 1926, however, he proceeded a step farther; he spoke in a different strain, and I think the real mentality of the reserved Government is revealed much more faithfully in his speech of last year than in that of 1924. Very frankly he said:—"The reserved departments are after all the primary departments. The transferred departments are usually described as the nation-building departments. But you cannot build without a foundation, and that foundation is provided by the reserved department. If we were to classify departments not with reference to the authority which controls

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them, but with reference to the functions which they subserve, we should have to classify the reserved departments as the primary departments and the transferred departments as the secondary departments." I think here is revealed the mentality which is responsible for our failure to get more money for expenditure upon the beneficial services or nation-building departments, howsoever you may describe them. It is true that since 1921-22 larger sums have been provided for the transferred departments than in some cases for the reserved departments. But by that time the reserved departments had been fully developed, while the transferred had been starved. Even if there were no reformed Government, even if there were no Ministers or a reformed Council, even then Government would have been compelled to increase expenditure on the transferred departments at a greater pace than on the reserved departments. I am here to state that I am not at all satisfied with the treatment the transferred departments have got in several cases of importance and urgency from the Governor in Council. Not that they have always failed to get their share. They would not be functioning if they did not get a share. But I utter my protest against the view taken by the Finance Member last year that the transferred departments, Education, Public Health, Medical relief, Communications and such like are merely secondary departments. Why do they not plainly say then, "our function here is to police the province and to send criminals, real or imaginary, to jails, to collect revenue and to pay the establishment for the collection of this revenue, and if any money is left over, we are willing to give a share out of it to these secondary purposes. I do not think the language used by me, which is more forceful perhaps than that used by the Finance Member, is in any way different in substance from what he said. In connexion with the remission made this year I hope the Finance Member will not fail to bear in mind the remarks of Sir Basil Blackett in his speech in introducing the budget in the Legislative Assembly. He said:—"My defence for this lapse from virtue must be that the complete liquidation of our liabilities to the provinces in respect of provincial contributions is a very big prize, justifying very special effort, we can, I think, justifiably make this concession without denying our principles, in order to secure the advantages for India, economic and social, and the stimulus to the successful working of the reforms which will flow from the release of 5.45 crores of revenue to the provinces for expenditure on those nation-building services which all true friends of India and of the reforms have so deeply at heart." Again:—"I account it a great stroke of good fortune for myself and a happy augury for the financial work of the new Assembly that its first budget should be the first since the reforms in which our revenues are independent of assistance from the provincial tax-payer. Ever since the reforms were inaugurated, the provincial contributions have been a millstone round the neck both of the Central Government and of the Provincial Governments, poisoning their mutual relations and hampering their every action. Their quality, even more than their amount, has strained the resources of the giver and the patience of the recipient. They have brought curses, not blessings, both to him who has given and to him who has taken. The year 1927-28 sets India free from this incubus. . . . There is nothing to capture the imagination or stir the emotions in the figure of 5.45 crores. But what romance lies behind this figure when it is translated into spending capacity in the



hands of the Ministers in the provinces." This is the primary purpose why the Government of India made a sacrifice in order to remit completely the contributions in 1927-28. In 1921 Sir Ludovic Porter said:—"the officials are out, every one of us, to make the reforms a success." Sir, this was the promise. What is the fact? The whole country knows.

### Thakur Hukum Singh :

سبیا پتی مہودے - میں جیسا کہ اب تک رسم ہی اور جذبات آنریبل Finance مینسٹر صاحب کو سب مینسٹر صاحبان کی طرف سے (Congratulation) یا دھن باد دیئے گئے ہیں میں اس کو چھوڑ کر میں مجبور ہوں کہ میرے اوپر جو اس بھجت کے دیکھنے سے ہوا ہی اس کو دیکھتے ہوئے میں کسی طرح سے (Congratulation) یا دھن باد دینے کے لیئے طیار نہیں ہوں - اور اس کے لیئے میں معافی مانگتا ہوں - تیل اس کے کہ بھجت کے متعلق آپ صاحبان کی توجہ مبذول کروں میں چند الفاظ اپنے دیہاتی بھائیوں کی طرف سے اُن کی خدمات کی بابت عرض کر کے پتہ میں آپ کی توجہ بھجت کے اصلی مضمون کی طرف مبذول کراؤنگا \*

ہم دیہاتی لوگوں کی خدمات Public کی جانب اور گورنمنٹ کی جانب اس قدر ہیں کہ ہمارے ملک گے ہر ایک بھی خواہ اور ہر ایک خیر خواہ کا یہ فرض ہی کہ دیہاتیوں کی زیادہ سے زیادہ مدد کرے اور ہماری گورنمنٹ کا بھی سب سے زیادہ اور بڑا فرض ہی کہ وہ دیہاتیوں کی سب سے زیادہ مدد کرے کیونکہ ہماری گورنمنٹ کا تمام خزانہ ہمارے دیہاتی جنٹا کی طرف سے روپیہ سے بھرا جاتا ہے - اور اسی کی وجہ سے ہماری گورنمنٹ قائم ہے - اس کے ساتھ ہی ہمارے تمام شہر کے قواسم بھی اُنہیں کی وجہ سے آرام سے رہتے ہیں اس لیئے تمام گورنمنٹ کی جانب سے اور تمام پبلک کی جانب سے ہمارے دیہاتی لوگ مہربانی کے مستحق ہیں - لیکن مجھے کو بھجت کی طرف نگاہ ڈالنے سے اور بالخصوص ہماری سیوراج پارٹی کے لیڈر کی جانب سے ایک ریزولوشن پچھلی کونسل کے سیشن میں اس قسم کا پاس کیا گیا تھا جس کے ذریعہ سے یہ بات طے کر دی گئی تھی کہ گورنمنٹ کی طرف سے اب آئندہ دیہاتیوں کے لیئے کچھ خاص باتیں ایسی رکھی جائیں گی جن سے ڈسٹرکٹ بورڈ کو روپیہ دیا جائے جس کے ذریعہ سے دیہاتیوں کے آرام کے واسطے دیہاتیوں کے فائدہ کے واسطے اور اُن کی تعلیم کے واسطے اور اُن کی تندرستی اور آرام کے واسطے بہت زیادہ توجہ کی جائیگی - بھجت میں اس کے لیئے زیادہ دھیان رکھا جائیگا - لیکن جب میں نے بھجت کو دیکھا تو مجھے کو نہایت ناامیدی ہوئی اور نہایت دکھ ہوا کہ بھجت کے طیار کرنے میں اس بات کا مطلق دھیان نہیں رکھا گیا ہے - میں نے جو بھجت کو دیکھا تو مجھے کو یہ معلوم ہوا کہ تعلیم کے متعلق جو ڈسٹرکٹ بورڈ کو اس سال رقم دی گئی ہے وہ پچھلے سال جو رقم دی گئی تھی اس سے بھی کم ہے - پچھلے سال میں ڈسٹرکٹ بورڈ کے لیئے 73,56,640 روپیہ رکھا گیا تھا لیکن اس سال 69,32,610 روپیہ رکھا گیا ہے اس کے معنی یہ نہیں کہ 4,24,030 روپیہ بمقابلہ سال گذشتہ کے بھی کم رکھا گیا ہے جو کہ بہت ہی کم ہے نہ صرف تعلیم کے متعلق دیہاتی لوگوں کی طرف کم توجہ رکھی

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گئی ہے بلکہ Medical department میں اس سے بھی بہت کم رکھا گیا ہے۔ میں دیکھتا ہوں کہ اب بھرت کے اندر پچھلے سال Local bodies کے لیئے 4,03,813 روپیہ رکھا گیا تھا لیکن اس سال بھرت میں 3,64,654 روپیہ رکھا گیا ہے۔ اس سے معلوم ہوتا ہے کہ اس مد میں بھی اتنا روپیہ بھی نہیں رکھا گیا جتنا پارس سال رکھا گیا تھا حالانکہ ریزولوشن جیسا کہ پچھلی سیشن (Session) میں طے ہوا ہے اس کے مطابق گورنمنٹ کو زیادہ روپیہ دینا چاہیئے تھا تاکہ دیہاتی تعلیم اور دیہات کی تندرستی کی طرف دستبردتہ بورتہ توجہ کر سکتی۔ نہ صرف Medical department کی طرف بلکہ Public Health department میں بھی کوئی بات اضافہ کی یا کوئی خاص بات ایسی اُمید دلانے والی نہیں ہے جس سے ہم سمجھیں کہ دیہاتیوں کی طرف زیادہ مہربانی کی نگاہ کی گئی ہے۔ میں دیکھتا ہوں کہ Public Health department میں 3,09,835 روپیہ (Contribution) دستبردتہ بورتہ کے لیئے رکھا گیا ہے لیکن Public Health کی دوسری مددات میں 22,88,854 روپیہ کی رقم رکھی گئی ہے۔ لیکن دستبردتہ بورتہ کے لیئے بہت تھوڑی رقم رکھی گئی ہے۔ اتنے ضلعے اتنے بڑے صوبہ کے اندر 3 لاکھ روپیہ سے کچھ بھی نہیں کر سکتے\* ہیں اور کہاں تین لاکھ روپیہ اتنے ضلعوں میں بانٹا جا سکتا ہے۔ میوے خیال میں 3 لاکھ روپیہ بہت تھوڑے ضلعوں کے لیئے ہونگے۔ ابھی تو ایسے بہت سے ضلعے باقی ہیں جن میں (Public Health) کے لیئے ایک کورتی بھی دستبردتہ بورتہ کو نہیں دی گئی ہے۔ اس سے ہم کو یہہ نتیجہ نکالنا پڑتا ہے کہ اب تک جو پہلی سیشن (Session) میں جو ریزولوشن پاس ہوا ہے اس کے لحاظ سے اور ہم دیہاتیوں کی خدمات کے لحاظ سے کوئی بھی توجہ گورنمنٹ کی ہماری جانب نہیں ہوئی ہے۔ نہ صرف اتنا ہوا بلکہ دستبردتہ بورتہ کے لیئے P. W. D. کے لیئے پہلے سال ایک لاکھ روپیہ رکھا گیا تھا اور اس سال ایک کورتی بھی نہیں رکھی گئی ہے۔ اس سے معلوم ہوتا ہے کہ ہماری سڑکوں کے لیئے P. W. D. کے محکمہ میں ہم دیہاتیوں کی امداد کے واسطے کچھ بھی خیال نہیں رکھا گیا ہے۔ اس سے پتہ چلتا ہے کہ جو کونسل بڑی بھرت و مباحثہ کے بعد تجویزیں منظور کرتی ہے ان کی طرف ہماری گورنمنٹ کی توجہ نہیں ہوا کرتی ہے اور اس لیئے ہم لوگوں کی تمام کوشش بالکل بیکار اور بے سود رہتی ہے۔ میں نہایت ادب سے گورنمنٹ کی توجہ اس طرف کھینچنا چاہتا ہوں کہ ہم دیہاتی ہی ہیں جو اس گورنمنٹ کو چلا رہے ہیں۔ ہم دیہاتی ہی ہیں جو لڑائی کے وقتوں میں اپنی پیادری گورنمنٹ کے واسطے خون بہاتے ہیں۔ پھر ان حالات کے ہوتے ہوئے ہماری گورنمنٹ کی مہربانی کی نگاہ نہ ہونا زیادہ تعجب کی بات ہے۔ اس لیئے اس بات کی سخت ضرورت ہے کہ گورنمنٹ ہم دیہاتیوں کے واسطے کوئی کوشش اس قسم کی ضرور کرے کہ جس سے ہم لوگ اب اس تکلیف میں متواتر نہ بنے رہیں جس میں ہم چلے آتے ہیں Agriculture department میں اگرچہ بھرت دیکھنے سے معلوم ہوتا ہے کہ 30,26,911 روپیہ رکھے گئے ہیں لیکن ہم جو ہوتا اس دہارمنٹ کی

طرف سے دیکھتے ہیں اُس سے معلوم ہوتا ہے کہ تمام دیہاتوں کے اندر اِس کا کوئی اثر نہیں ہے •

جو فارم ضلع میں ایک آدمہ جگہ قائم کیئے گئے ہیں اُن کے متعلق دیہاتی لوگوں کا کیا خیال ہے۔ جب وہ فارم کے نزدیک ہو کر گذرتے ہیں تو دیکھتے ہیں کہ ایک بڑی شاندار Building اُس کے اندر ہے۔ اُس کو دیکھ کر دُور جاتے ہیں۔ اُن کو معلوم ہوتا ہے کہ کوئی صاحب اُس کے اندر بیٹھے ہیں۔ ہم نکلیں گے اور جائینگے تو نہ جانے کیا فرائضی ہوگی۔ بڑے دُور اور بڑے بڑے سے الگ ہو کر نگاہ چھپا کر علیحدہ ہو جاتے ہیں۔ غرض یہ ہے کہ وہ یہہ خیال نہیں کر سکتے ہیں کہ یہہ ہمارے فائدہ کے واسطے اور ہم کو کچھ شکشا دینے کی غرض سے فارم قائم کیئے گئے ہیں اور اِس سے ہم لایہہ اُٹھا سکتے ہیں۔ دراصل اگر گورنمنٹ کوئی فائدہ دیہاتیوں کو دینا چاہتی ہے تو سب سے بڑا اچھا طریقہ یہہ ہو سکتا ہے کہ جو لوگ (Agricultural) اچھی تعلیم رکھتے ہوں جو تجربہ حاصل کیئے ہوئے اور قابل لوگ ہوں وہ دیہات میں ایسے ایسے وقت پر دورہ کریں اور اُن کاشتکاروں کو یہہ بات لکچر کے ذریعہ سے بتاویں کہ تم جو کھاد ڈال رہے ہو اُس میں یہہ ترمیم کرنا چاہیئے۔ اِس طرح اُس کو سدھارنا چاہیئے اور ٹھیک کرنا چاہیئے۔ جو زمین حوت رہے ہو اُس میں یہہ ترمیم ہونا چاہیئے۔ کس قسم کا ہل تم کو لانا چاہیئے۔ بیج بونے کے وقت پر اور ہر فصل کے موقع پر اِس قسم کے ماہر لوگ پہنچا کریں اور اُن کو بتایا کریں کہ اِس طرح بیج بوؤ۔ دو دو چار چار گاؤں میں Centre قائم کیئے جاویں جن میں کہ بیج رکھا جاوے اب کیا ہوتا ہے۔ تحصیل یا ضلع میں دو جگہ ایستور بیجوں کا رکھا جاتا ہے جہاں دیہاتی لوگ ضلع کے ہر حصہ سے نہیں پہنچ سکتے ہیں۔ اُن کو اطلاع اِس بات کی نہیں ہوتی اور بیج کے حاصل کرنے میں بڑی دقت ہوتی ہے۔ اِس لیئے (Agriculture department) کی طرف سے الگ اِس طرح کا انتظام ہو کہ دیہات میں جا کر دورہ کے طور پر اِس طرح کے لوگ ہر ایک موضع میں پہنچیں اور ہر قسم کی صلاح کاشتکاروں کو دیں تو زیادہ مفید ہو سکتا ہے (Agricultural College) جو اپنے صوبہ میں قائم ہے اُس سے ہم کاشتکار لوگ۔ ہم دیہاتی لوگ بہت تھوڑا فائدہ اُٹھاتے ہیں اُس کی وجہ یہہ ہے کہ ہم Education میں پیچھے ہیں۔ پہلے تو Entrance پاس کریں اور پھر اُس کالج میں داخل ہوں۔ پھر اُس کی تعلیم پا کر اُس سے فائدہ اُٹھا سکیں۔ لیکن چونکہ ہماری تعلیم کے واسطے کافی انتظام نہیں کیا جاتا ہے اِس لیئے ہم اُس کالج تک نہیں پہنچ سکتے ہیں۔ اِس لیئے اُس کالج سے کوئی لایہہ نہیں اُٹھا سکتے ہیں اِس لیئے ضرورت ہے کہ ایسے طریقہ اختیار کیئے جاویں کہ کاشتکاروں کے لڑکے کالجوں تک خاص رعایت کے ساتھ پہنچ جاویں۔ اُن کو خاص رعایت کے ساتھ کالج میں داخل کیا جاوے تاکہ وہ لوگ جب اپنے گھروں میں جاویں تو اپنی کاشت کے اندر خاص تبدیلی کریں تاکہ دیہات کو فائدہ پہنچے اِس لیئے اِس بات کی ضرورت ہے کہ Agricultural College میں خاص خاص کوششوں سے کاشتکاروں کے لڑکے پہنچائے جائیں۔ اب میں اِس کے ساتھ عرض

[Thakur Hukum Singh.]

کرنا چاہتا ہوں کہ ہمارے پولیس department اور ضلع کے حکام و افسران اور اہلکاران کا کیا حال ہوتا ہے۔ ہم دیہاتی لوگ جب اپنے مقدمات کو مثلاً اپنی تکلیفوں کو ان کے اجلاس تک یا پولیس کے ملازموں و حاکموں تک پہنچاتے ہیں تو ہماری کیا درگتی رہتی ہے۔ اور کیا تکلیفیں ہم کو ہوتی ہیں۔ میں زیادہ اس بات کے متعلق نہیں عرض کرونگا۔ میں صرف یہ عرض کرونگا اور عام طور سے یہ کہنے میں مجھے ذرا بھی رگوت نہیں ہے کہ رشوت کا بازار کچھ محکموں کے اندر بڑے کھلے طریقہ سے موجود ہے۔ کم از کم چھوٹے اہلکار تو عام طور سے اپنا حق سمجھ کر ہر اہل مقدمہ سے طلب کرتے ہیں فی مقدمہ جب تک نہ دیا جائے اُس وقت تو دیہاتی لوگ اپنے کلم کے متعلق کبھی کامیابی نہیں حاصل کر سکتے۔ یہ صورت جو بنی ہوئی ہے تو اس کا کوئی نہ کوئی انتظام اور کوئی نہ کوئی ردک ہونا بہت ضروری ہے میرے خیال میں ایک خاص کمی ہے جس کی وجہ سے یہ رشوت کا بازار گرم ہے۔ اس کی وجہ یہ ہے کہ دیہات کے لوگ ملازمتوں میں بہت کم جگہ پاتے ہیں کیونکہ ان کے پاس سفارش نہیں ہے۔ اگر دیہات کے لوگ ان تمام ملازمتوں میں زیادہ تعداد میں ہوتے تو ان اپنے دیہاتی بھائیوں کے ساتھ ہمدردی کرتے اور ان کو رشوت مانگنے یا لینے میں اور اپنے دیہاتی بھائیوں کو بھوکا مارنے میں بہت شرم آتی اور ان کو اپنے رسم رسوم قائم رکھنے کے واسطے مجبور ہونا پڑتا۔ اس وجہ سے وہ ایسا نہیں کر سکتے تھے۔ اس لیے ضرورت ہے کہ دیہاتی لوگوں کے واسطے ایسی تعداد ہر ایک محکمہ میں رکھنا چاہیے جس سے وہ خاص طور سے ملازمت پا کر اپنے بھائیوں کے ساتھ اچھا برتاؤ کر سکیں۔ اس طریقہ سے رشوت کے بازار میں بہت کچھ کمی ہو جاوے گی \*

**Baja Saiyid Ahmad Ali Khan Alvi :** Reference was made last year to the method of keeping accounts, and it was stated that the method was undergoing changes. The changes made in the method of accounting are seen this year in the volume of accounts described as "Detailed estimates and demands for grants," and it is gratifying to find that the change made in the form of detailed estimates renders them much more intelligible to the ordinary layman than the former method.

The present financial position of the United Provinces Government is described by the Finance Secretary as "highly unsatisfactory," and no wonder, because there is an actual deficit of nearly 29 lakhs on the year's working, but if provision be made for a minimum working balance and for a balance of 13 lakhs in the Famine Insurance Fund, the real deficit is no less than nearly 57 lakhs. The figures above given are according to the statement of the Finance Secretary in his "prefatory remarks" (page 15 of the budget). But according to the statement of the Hon'ble the Finance Member the deficit is either 39 lakhs or 42 lakhs (page 7 of his statement). Be that as it may, the situation has been saved, at least for this year, by the very liberal remission by the Government of India of our provincial contribution amounting to 151 lakhs. After meeting the above deficit we shall have, I think, a sum of about 94 lakhs to spend on what are called beneficent or nation-building departments. As a first instalment, we are promised supplementary estimates aggregating 51½ lakhs.

in April and, if all goes well, "a further batch of supplementary estimates" is likely to be presented to the Council in October or November next.

A rather disquieting feature of the budget estimate for 1927-28 is that there is a decrease in the proposed expenditure on education of about 11½ lakhs, the grants to universities alone accounting for a decrease of about 2¼ lakhs. I may remark, by the way, that the above figures are as given at page 52 of the budget memorandum prepared by the Finance Secretary; whereas according to the statement of the Hon'ble the Finance Member the decrease in expenditure is said to be only 8 lakhs (see page 6 of the statement). However, no recurring or non-recurring grant is provided in the budget for the Aligarh University for the next financial year. I trust that the grant for education will not only not be decreased as compared with the present year, but will be substantially increased, and that liberal grants will be allotted both to the Aligarh and Benares Universities. A grant of 2 lakhs for the Aligarh University Technical College is sorely needed, and I beg to express the hope that Government will be pleased to provide the said sum.

In connexion with the subject of education I beg to propose that Rs. 10,000 by way of a first instalment may be provided for a translation fund for the purpose of translating into Hindi and Urdu approved English text-books on Science, Mathematics, Economics, History, etc. The establishment of a permanent translation fund is essential in view of the decision to impart school education in the two principal vernaculars of the province.

One of the most serious problems at the present day is that of unemployment among the educated middle and lower middle classes. Unemployment and economic depression are the main causes of the present unrest and discontent in the country. I venture to suggest that Government may be pleased to formulate a scheme for providing schools in all towns of these provinces having a population of 15,000 and upwards for imparting technical, industrial or vocational education. Schools of carpentry, leather-working, tailoring, weaving, knitting and needle work, for dyeing and printing, etc. should be established at various suitable places. If the proposed scheme is worked out and put into execution it will go a long way towards lessening unemployment and the resulting distress, and will also, I think, keep our young men from political mischief.

I also venture to suggest another scheme for the consideration of Government. To prevent epidemics of cholera, malaria and other diseases and, above all, for the preservation of public health, it is essential that a system of pure water-supply in rural areas should be inaugurated. This is a vast project requiring careful working out and it would entail enormous expenditure. But the incalculable economic losses, direct and indirect, sustained by the country owing to the decimation of the population during times of epidemics and to chronic ill-health would, to a large extent, be checked, and whatever the outlay on the proposed scheme might be, it would be repaid ten times over in course of time. I therefore beg to suggest that a start might be made as soon as possible and a sum of Rs. 10 lakhs provided for water-supply in rural areas from the remission of the provincial contribution made by the Government of India.

**Pandit Govind Ballabh Pant:** I am sorry that owing to my absence from the station yesterday I had not the good fortune of listening to the speeches delivered yesterday. If in the circumstances I happen to make repetitions I hope you will please excuse me.

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While reading the statement of the Secretary in the Finance department I came across one sentence which drew my mind into familiar channels. While explaining the reason for the change made in the system of account-keeping and while explaining the reason why changes have been made in the form of the Budget he referred to the system that is in vogue in Parliament and also said that it was to bring it into conformity with the Parliamentary model that Government have made these changes. I was reminded of the system of keeping up appearances in this country; I felt how great is the difference between dead formalism and living reality. Here we are supposed to be a representative assembly. But what are our powers? Here we have got a budget which is said to be based on the parliamentary model. But what is the power of the purse that we possess? If we look at it we are reminded at once of what one said of crooked figures which are symptomatic of a crooked system. We are reminded of the fact that during last year there was a cut of about Rs. 8 lakhs which was restored by His Excellency the Governor. We are further reminded of the fact, a very great fact indeed, that debts amounting to about Rs. 8 crores were incurred by the Executive Government, which has placed a permanent charge on provincial finances to the extent of more than a crore of rupees a year, without the sanction of this House. This is the first time that the terms have been disclosed to us. It is the first time that the gravity of the matter has been brought before the House. Could anybody imagine any legislature in any country in the world where the executive Government could contract such huge debts without letting the legislature know anything about it? That is the irony of it. This is the system under which we are living. We will be told perhaps that while the debts may not have been brought before the House in a formal manner the demands were placed before it. I will refer to that question later on. But my point is that this House was never consulted as to the propriety of incurring these debts. It was never asked whether the terms were acceptable. It was never consulted as to the propriety of incurring a loan of about a crore of rupees for police buildings. I am simply referring to the anomaly of the present system. It is one in which we have no power. It is one in which we have no voice. We are simply carrying on a sham fight, a mimic performance for the edification of those who can, whenever it pleases them for the sake of diversion, give us some little time here in this House. Sir, on a similar occasion there was a remark made by another man in a different country. He said:—"We asked for a man of figures and we saw the figure of a man. We asked for a head with figures and we saw a figure-head". We are so many figure-heads assembled here having absolutely no power of control over the purse in our hands. I believe the conviction will be borne upon every non-official member at least of this House that there is practically no advantage, no utility, in the discussions that we are carrying on here, or at least very little, so long as we do not get a real power of control of the purse. It is for that that we should try and fight above everything else.

Sir, I will now turn to the performance itself and in doing so will try to confine myself to the financial aspect of the budget presented to us. At the very outset I may say that I am glad that the new system of prepayment audit was introduced last year. It is a scientific system and

it does lead to a number of advantages. I hope we will get the Appropriation Report much earlier now than we used to do so far. I also trust that the occasion for supplementary estimates where money could be diverted by means of token demands will be fewer now, as the Government will be almost fully acquainted with the financial position in every department.

Sir, coming to the form of the budget this year, I find that the Financial Secretary has omitted some information of a very useful character which was provided in the previous volumes. Up to the year 1925-26 he used to give us progressive statements of expenditure from the year 1921-22. But that has been omitted from the present volume. He also used to give us a statement showing voted and non-voted expenditure under various heads and expenditure under reserved and transferred heads, not only for the year for which the budget was presented, but also for the previous year. That too has been omitted. He used to tell us, not only what was the amount provided in the original budget and what was the amount provided in the revised budget, but also indicate the supplementary demands that were allowed in the various departments in the course of the year. That information too has been omitted. There was also a schedule of new grants and items of new expenditure appended to the memorandum which was of very great use to us. That too does not appear in the volume.

**Mr. E. A. H. Blunt :** 'That has been supplied.

**Pandit Govind Ballabh Pant :** I do not know when it was supplied.

**An honourable member :** It was supplied.

**Pandit Govind Ballabh Pant :** I am sorry. At least the mistake is not mine. Sir, I will refer now to one or two points which are of a preliminary character. The Government of India have changed the date for the calculation of interest from April 1 to March 31. That I think is highhandedness on the part of the Government of India. They should treat us quite in the same position as a creditor does a borrower. They should not take advantage of their dominant position as the Government which is supreme and which is above this Government. When the period for which interest has been and ought to be calculated is a period of six months, the date when the interest can be said to fall into arrears can only be one next to the date up to which interest is payable, so that March 31 could not possibly be regarded as the date on which interest can be said to fall into arrears. Interest can fall into arrears only on April 1, and I hope the local Government will represent the matter to the Government of India, together with an expression of our protest against this behaviour of theirs, so that the loss of finances to which this Government is put because of this change may be avoided. In this connexion I may observe that every Government above us seems to be very keen on getting every pie that it can out of us. This is the case not only with the Government of India, but also with the Secretary of State and even with the High Commissioner. Accordingly, we should claim our pound of flesh from the Government of India in the shape of our interest on account of the funds that stand to our credit in the treasuries, for they are the custodians of our money. We should claim from them expenses for running the treasury, as they are primarily responsible for the administration of the central departments. We should also claim from them full contribution for the agency work which is done by this Government in the

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collection of income-tax, salt tax, opium tax and so on, and also full share of the cost that is incurred in improving communications to those cities where big cantonments are located. I think this Government is entitled to claim its full share from the Government of India; and it should not make any delay in pressing forward that claim.

So far as the budget for the coming year is concerned, it is not only disappointing but much worse than that. It is absolutely an undemocratic budget. It is a supremely bureaucratic budget. It does not give us any scope for the expansion of the beneficial activities which tend to help the national growth. It is a budget which, though disclosing a deficit of about 44 crores and 58 lakhs, is hardly of any advantage to the public of these provinces. The statement of the Finance Member that the deficit is about 38 lakhs or that of the Finance Secretary that it is 28 lakhs is incorrect. If you will look at the figures, it will appear that the closing balance at the end of the year 1927-28 will be 28 lakhs and the opening balance is 15 lakhs 78 thousand, so that at the end of the next year the closing balance will be 12½ lakhs in excess of the opening balance of the year, and this result will be achieved after we have taken a loan of 56 lakhs 81 thousand to meet the deficit. Consequently, if you subtract 12,23,000 from 56,81,000, it gives you the real deficit of the year, which is 44,58,000. I hope this calculation will be admitted as correct. In this connexion I have not taken into account the opening balance of the year 1927-28, and there is no reason why it should be taken into account, for that is not part of the revenue but something which we have in hand. In this connexion I wish to protest most emphatically against the diversion of earmarked funds for revenue purposes. As we have noticed from Mr. Blunt's memorandum, at the end of the current year we will have about 10 lakhs out of the debt funds raised for specific purposes. We should have in our hands balances of the famine insurance fund which has not been appropriated for other purposes. The aggregate of the two exceeds the sum of Rs. 15 lakhs which will be the opening balance of the next year, so that the Finance department have misappropriated the amounts earmarked for specific purposes out of the balances which should have been in hand, and to that extent they have acted against the elementary canons of financial propriety. I think that they should admit their mistake in this matter, and in this connexion I should also protest against the habit of over-budgeting that seems to be in vogue in certain departments. Those who have read the appropriation report for the year 1924-25 must have noticed that there are a series of departments in which the amounts provided for their use have been appropriated only to the extent of 70 or 75 per cent. Specially where funds have been raised by means of loans, this Government has to pay the interest on the money raised, while the money is not being used for any useful purpose. It is very improper that such loans should be raised for purposes which are not necessary, and it is worse still that this money should not be used after it has been provided in the budget. Sir, in making a survey of the financial situation in these provinces, the Hon'ble Finance Member has drawn a picture. I am afraid the facts furnished by him do not go even half way to disclose the real deplorable situation in which we are. If you will be pleased to look at the figures—I will only refer to the state of things that has developed from the year 1921-22 when the reforms are said to have begun—you will notice that in the year 1921-22, we commenced with an opening balance of about



Rs. 89 lakhs. Up to the close of 1925-26—the year up to which we have got the accounts—the deficit on the revenue side alone has swelled to the figure of Rs. 1 crore and 24 lakhs. Besides that we ought to have credited about 40 lakhs a year to the famine insurance fund. During the last seven years that amount should have come to about Rs. 2 crores and 80 lakhs. But out of that fund we will have only 30 lakhs at the end of 1927-28. The money that is invested in taqavi at present out of that fund comes to Rs. 28 lakhs only, so that we have again appropriated Rs. 2 crores and 40 lakhs of this fund for our ordinary purposes. Then again we have, during this period, raised the interest charges abnormally. In the year 1921-22, the interest charges amounted to about Rs. 53 lakhs, while in 1923-24 they came to 80 lakhs, in 1924-25 to 86 lakhs, in 1925-26 to 97 lakhs, in 1926-27 to 106 lakhs, and next year, as the Hon'ble Finance Member has told you, the charges on account of debts on the revenue will come to about Rs. 165½ lakhs. The debt has risen considerably: it has been almost doubled, and out of this there are certain figures which have been mentioned by the Hon'ble Finance Member. If they alone are taken into consideration, this much is clear that about 2 crores of the debts raised have been spent on unproductive purposes. We also find that about 2 crores out of the United Provinces Development Loan have been appropriated similarly for unproductive purposes. The remissions during the last two years, which have already been taken into account, come to about 234 lakhs. If you add up all of these figures, you will find that there has been a considerable inroad made on the finances of this province. There is one more item and that too must be taken into consideration. At the time when the reform administration was inaugurated, we had about 3 crores in provincial loan, which were then transferred to the provincial loan account, for which this province was responsible to the Government of India and out of that at present there are 70 or 80 lakhs which are invested in the form of taqavi loans to local bodies. So that if all these figures are taken into account the average of deficit for every year for the last six years would not fall short of 2 crores a year. Those who know the state of our finances can very well imagine how very deplorable the present condition is. It gives room not only for reflection but even for anxiety, and I hope that in future the Government will take greater care. Sir, in this connexion I refer to one fact which I consider of some importance as it has been adverted to in the course of the discussion and that relates to the diversion of the Famine Insurance Fund towards the payment of interest on the Sarda Canal loan. There can be no doubt that this is against the rules. There can be no doubt that the diversion of the United Provinces Development loan to non-productive purposes is against the rules, the statutory rules framed under the Government of India Act, and the local Government borrowing rules. The Sarda canal debt is not an unproductive debt and so the interest cannot be paid by means of appropriation from the Famine Insurance Fund. I am prepared to admit one thing and it is this. The interest may be paid out of the revenue. The interest that is paid should be added to the capital expenditure on the Sarda canal for some years, that is, up to the time when the canal is expected to be productive, and it should form part of that fund; and if the Government wants it out of the Famine Insurance Fund, it should borrow that money from the Famine Insurance Fund and then pay it for that purpose or transfer it towards the payment of the interest, for that will perhaps relieve the Government from the

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necessity of borrowing money from the Government of India. But at the same time the Government should bear in mind that the accounts should be correct and that the amount should be added year after year to the Sarda canal expenditure, so that we may know at the end what has been the total expenditure over this canal. Sir, the honourable member for Partabgarh has already referred to some of the passages from the speech of the Finance Member of the Government of India. There is one remark in the end which I beg to quote for the consideration of the Finance department. He said:—"What will 545 crores a year transfigured into goods and services, available year by year in the hands of the Provincial Governments, mean in the promotion of the human happiness, in the prevention of preventable disease and ignorance, in the widening of the opportunities for a good life for many crores of the people of India." I hope the Hon'ble Finance Member will respond to this emotion. He will take into account every word that has been said by the Finance Member of the Imperial Government. This perhaps helped him in getting his favourite ratio of 18d. And the price having been paid he must see that the money is used for the appropriate purpose. I have a grievance on this score. I have again and again referred to the declared policy of the Government of India that the amount remitted out of the contribution should be devoted to the nation-building purposes. But in spite of the definite instructions, in spite of what I would call the corollary added to the main resolution passed by the Assembly, so far as this province is concerned only one-third of the amount has been actually used for transferred departments. I do not regard that sum which appears in the budget of the Transferred departments but is used for buildings for Reserved departments as in any way devoted to purposes which are really within the scope of the Transferred departments. I am also sorry to notice that in this year's budget both the non-votable amount as well as the amount allotted to the Reserved departments are in excess of those provided in the budget for last year. It is regrettable that even after the remission of the contribution to such a large extent there should be an increase in the non-votable items or in the items set apart for the Reserved departments. In this connexion I would make a definite suggestion, something on the lines which I have been putting forth from time to time. I suggest that so far as the Reserved departments are concerned only so much of additional money should be given to them as can be got out of the natural growth of the proportion of revenue which has been spent over the Reserved departments so far and everything else should be devoted to the Transferred departments, not because we are against the Reserved departments but we feel that the Reserved departments have had their day. In this connexion I would ask the Government to reconsider if it is possible to make further economies, especially, I think, in the Irrigation and in the Public Works departments. If one were to keep an eye on these departments there can be any amount of savings. I think, as I said previously, all the moneys that are received from the Government of India on account of this remission of contribution or rather the additions to our resources that are made in this manner should be set apart in a development fund which must be confined to proper purposes and used only for real purposes of development, and if this is not possible under the statutory rules, I would ask the Finance department to have at least an administrative account under that head—to set apart a

sum for that purpose and then to draw on it for definite and specific purposes only. In this connexion I would further suggest that whenever any loans are necessary the Finance department should after receiving the consent of the Government, place a resolution before this House, and should clearly state the terms on which they intend to raise the loan, and it is only after they have received the sanction and consent of the House that such a loan should be raised otherwise they should not raise any money by way of loan. In the end I would only request the Hon'ble Finance Member to revise his notions about primary and secondary purposes—a point which I had noted down and to which I wanted to invite his special attention. The primary purpose of the Government is to do things that conduce to the welfare of the people committed to its charge and every other purpose must be subordinated to it; and in so far as any Government lays greater stress on any other purpose it is deviating from the law of development, it is deviating from the principles of morality, it is not a Government which exists for the good of the people committed to its care, but it is a Government which exists only for the reign of terror, it is a Government which exists only for the use of the policeman's baton and for the prisoner's chains and it is a Government which cares more for itself than for the people committed to its charge, and unless the Government revises its notions about the primary purpose for which it exists, I would most humbly submit that the Government will have to realize sooner or later that its moral existence in this country cannot be justified.

There is only one very small point and that is about the Ranchi Mental Diseases Hospital. I have to refer to it because I cannot mention it in the course of discussion on any grant in the budget, there being only one grant. The other day I put a question and we got the answer that the expenditure per head was twelve times that in the indigenous lunatic asylums which are in our own province. I would request the Hon'ble Minister to look into the matter and to see to it that the expenditure is reduced. I would also bring it to his notice that so far as I am aware, only the Commissioner of Agra and the Superintendent of the Lunatic Asylum at Agra are the representatives of this Government in the body of trustees or the governing body of that institution. I see no reason why the Hon'ble Minister should not ask the non-official members of this House to elect their own representatives to serve on this body, so that they may be in close touch with that asylum and thereby learn something of wisdom and perhaps more of freedom.

There is one more point which perhaps it will be difficult for me to insert in the course of the discussions next week. I think it is absolutely necessary that the Government should set apart a certain amount of money for establishing a number of colonies for educated people in these provinces. A sum of about 10 lakhs at least should be set apart so as to purchase land in different parts of the province where educated men can settle down, where they may get loans from the Government for the purpose of agriculture and for other things which will help the growth of the modern system of agriculture in the vicinity and in the neighbourhood.

Out of the remission that we will be getting, I think the Government cannot possibly appropriate more than 52 lakhs which are still non-recurring towards this deficit. So far as the balance of 94 lakhs is concerned, it should be set apart exclusively for the transferred department

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and it should form part of a development fund. I am one of those who are still inclined to believe that the expenditure even in transferred departments has to be controlled and regulated and that there can be occasions for wastage in these as much in other departments, and for this I think it is necessary that there should be some sort of a check so that no money should be wasted. I want some funds set apart, so that no money may be wasted on schemes which may ultimately, on mature consideration, be relinquished.

**Khan Bahadur Shaikh Zia-ul-Haq :**

جناب والا - میں گورنمنٹ کی توجہ اس طرف دلانا چاہتا ہوں کہ اس صوبہ کی بہت سی سڑکیں اچھی حالت میں نہیں ہیں - بہت خراب حالت ہو رہی ہے - کیا گورنمنٹ ایسی سڑکوں کو Provincial سڑکوں میں شامل کرے گی - گورنمنٹ کے لیئے ایسی سڑکوں کو اچھی حالت میں لانا نہایت ضروری ہے - مثال کے طور پر میں Grand Trunk Road کو میں پیش کرتا ہوں جو سبارنہور اور مظفرنگر کے درمیان ہے وہ نہایت خراب حالت میں ہے اس سے Traffic میں بڑی دلت ہوتی ہے - جو لوگ میٹرک یا دہلی کا سفر کرتے ہیں اور Punjab Province کا سفر کرتے ہیں انہیں کم سے کم ۳ میل کا چکن لگانا پڑتا ہے - اس سے میٹرک یہہ مقصد نہیں ہے کہ ڈسٹرکٹ بورڈ نے سڑکوں کا جو انتظام کیا ہے درست نہیں ہے یا اچھی حالت میں لانے میں غفلت کی ہے بلکہ ان کی مالی حالت بعض اوقات مجبور کرتی ہے اور ان کا ہاتھ روک دیتی ہے - اگر ایسے سڑکوں کو (Provincial Road) میں شامل کر دیا جائے تو ڈسٹرکٹ بورڈ کو یہہ بچت ہوگی اور جو ان سڑکوں پر صرف کرتے ہیں اور اس بچت سے دوسری سڑکوں کو اچھی حالت میں کر سکتے ہیں \*

جناب والا - میں یہہ عرض کرونگا کہ عمارے صوبہ کی تعلیمی حالت بہت خراب ہے دوسرے ممالک کا مقابلہ چھوڑتے ہوئے خون ہندوستان میں دوسرے صوبوں سے ہمارا صوبہ بہت پیچھے ہے - ہماری تعلیمی حالت درست کرنے کے لیئے گورنمنٹ کی خاص توجہ کی ضرورت ہے - مگر میں دیکھتا ہوں کہ بچت میں کوئی خاص توجہ نہیں کی گئی ہے - اس سے ہم دیکھتے ہیں کہ جو کمی ہے وہ کسی طرح پوری نہ ہوگی - جو جز آنریبل صاحب نے Grant کیا ہے بجائے اس کے کہ وہ آگے بڑھے ایک قدم پیچھے ہٹا دیا گیا ہے - یہہ نہایت مایوس کن ہے بجائے اس کے کہ ہم ترقی کریں - ہمارے صوبہ کی تعلیم حالت میں اضافہ ہو پیچھے قدم پڑ رہا ہے اور امید نہیں کی جاسکتی کہ ہم کوئی ترقی کریں گے - یہہ ماننا پڑیگا کہ ہندوستان کی کثیر آبادی زراعت پیشہ ہے اور زیادہ تر دیہاتی رقبہ میں آباد ہے - ان کی موجودہ اقتصادیت کو درست رکھنے کے لیئے یہہ لازمی ہے کہ Agricultural کی طرف توجہ خاص کی جائے - مگر میں دیکھتا ہوں کہ موجودہ بچت میں اس کی طرف جیسی توجہ ہونی چاہیئے وہ نہیں کی گئی ہے جس سے ہم سمجھیں کہ ہماری ذراعتی حالت سنبھل جائیگی \*

جذاب والا - دیہاتی رقبہ کی ترقی کے لیے جو رقم بجٹ میں مہیا کی گئی ہے وہ بہت تیز رفتاری سے رقم ہے - وہ ناکافی ہے - بہت بڑا حصہ آبادی کا دیہاتی رقبہ میں تقسیم ہے - پچھلی مہرہ کونسل میں جیسا کہ تھا کہ حکم سنگھ صاحب نے کہا ہے کہ ایک خاص ریفرنڈم Majority سے پاس کیا گیا تھا کہ دیہاتی رقبہ کی ترقی کے لیے خاص کوشش کی جائے - بڑے افسوس کے ساتھ میں یہ عرض کرنا چاہتا ہوں کہ اس ریفرنڈم پر کوئی توجہ خاص نہیں کی گئی ہے - رقم جو مہیا کی گئی ہے وہ ناکافی ہے - وہ ہماری حالت کو سنبھال نہ سکیگی - افسوس کے ساتھ کہنا پڑتا ہے کہ بجٹ کو قرضہ کی رقم پورا کر رہی ہے - کاش قرضہ نہ رقم اگر ہماری Education اور ہمارے زراعتی ترقی پر صرف ہوتی تو اطمینان ہوتا کہ کم سے کم عرصہ کی ترقی کے لیے گورنمنٹ قرضدار ہے - یہ بی نہیں ہے تو پھر گورنمنٹ کا مقروض ہونا بجٹ پر مایوس کن ہے - اور لہذا ہمیں یہ کہنے میں تامل نہ ہوگا کہ بجٹ بہت مایوس کن ہے \*

*The Council here adjourned for lunch.*

*After the recess the Deputy President took the Chair.*

**The Hon'ble Rai Rajeshwar Bali :** I hope the House will forgive me if I do not enter into a discussion of the various suggestions and criticisms that have been made regarding the working of the departments under my control, because we shall get ample opportunities of discussion on those points when the departmental budgets are presented and when I move the demands for those departments. I will confine myself, therefore, to remarks which are of a general character and for which the best opportunity is today. But before doing that I may be permitted to express my great satisfaction at the concern shown by a number of honourable members on finding the education budget figures of the coming year lower than those of the present year. I shall explain how it happened. As the honourable members are aware, this year's budget was a deficit budget, and therefore proposals for new expenditure were rigidly cut down. The items of new expenditure included in the schedules amounted to five lakhs only in the transferred departments, and as it was found that there were more urgent items in the departments under the control of my honourable colleague the Minister for Agriculture, I had to content myself with an almost negligible amount for the Education, Public Health and Medical departments. Nevertheless, the feelings expressed by the honourable members regarding the need of expansion in the Education department make me hopeful and indicate that so far as this department is concerned its position is impregnable in the sympathies of this House. That is very reassuring indeed, and I hope that when I shall have the honour of presenting the Education budget, the discussions in regard to that department will be conducted in that spirit. It was in this spirit that they were always conducted in the past, a fact which I am very grateful to acknowledge.

There is just one more point which I would like to raise before I sit down. I had expected that at least some honourable members would devote a part of their attention towards discussing the financial position of the local bodies. I say particularly in regard to district boards. It is only natural that the majority of us should be interested in the

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development of rural areas. That shows both the lack of adequate development in the past as well as the pressure of the newly created electorate which returns most of our honourable friends here. Now for the development of rural areas our chief agency is the district board. We have got ready at head-quarters, as I said on a previous occasion, a number of schemes for the development of rural areas which we should very much like to put into effect, but they cannot be put into effect unless the district boards co-operate with us fully. I do not wish to blame the district boards; but I do wish to bring out the fact prominently that all schemes of future extension must depend on the co-operation between the Government and the local body, not only in the matter of administering existing funds but also in the matter of providing more. If we are to progress, then more money must be found for giving effect to the various schemes. The question is where from is this money to come? Whether all schemes of future expansion are to be financed entirely by the district boards or by the Local Government, or whether both must share the responsibility. If the entire new expenditure is not to come from the provincial exchequer from taxation by the boards, then what share is to be borne respectively by the Local Government and the local body. In other words, just as we have got a fixed proportion for educational expenditure, are we to have such proportion in regard to the expansion of medical relief or the improvement of rural sanitation and roads? I do not wish to go further into the details of this question at this moment, but I have raised it in order that when the demands for those departments are presented, the honourable members may keep this point also in view and indicate their views on it.

For the expansion of these various beneficial activities depends not only on the provincial resources but also on the extent to which the local bodies are willing to come forward and co-operate with us.

**The Hon'ble Nawab Muhammad Yusuf:** Before I proceed to offer a few remarks on the matters that have been brought to my notice, I should like to thank the honourable members for the moderation and restraint they have shown in criticizing my departments. But first I should like to associate myself with my honourable colleague in the request that has been made to this House to indicate their wishes in connexion with the schemes that we have got in hand. We have got definite schemes in hand in connexion with rural development, and the House will admit, when we have explained to them these schemes, that we are doing all we can in pursuance of the policy of expansion of the rural area. The question is mainly one of finances. The point is whether these schemes should be entirely financed by the provincial Government or any portion of the necessary funds should be contributed also by the local bodies. It will be recognized by the House that the co-operation of the local bodies in this matter is absolutely necessary, and I hope that the co-operation will not be denied us in giving effect to those schemes which we have ready at hand. As a part of the scheme of education, sanitation, and medical aid, I may say there is also this very important scheme of roads. I hope the House will recognize that the whole progress and prosperity of the province is very closely bound up with the question of roads. One of the members, I think it was the honourable member for Cawnpore, emphasized the fact that it is about time Government did take some definite step in the direction of maintaining the local roads in a fit condition in order to help the rural areas and to help the development of

industries and agriculture. I am entirely at one with him, and I may assure this House that through this scheme we hope to offer that relief which he wants should be given to the local boards, and also settle the question as to how much the local Government should contribute towards it and to tackle the main problem of the roads which is of such vital importance to the whole province.

Now, Sir, I shall proceed to the question of the Muzaffarnagar Mandi which has been raised by a few honourable members of this House. I at once proceed to give the history of this question ever since I have taken over charge of my office. As soon as I came into office I made up my mind to go into this question very carefully. I have devoted most anxious and careful thought to it, and nobody could be more anxious than myself to see that this question was settled as early as possible. Mr. Krishan Prasad, who happened to be the Collector at that time, did his level best to bring about a compromise, and with that object in view he wrote to say that it would not be desirable for me to proceed to Muzaffarnagar to look into the question on the spot as it was likely to prejudice the negotiations proceeding between the two parties, and he fondly hoped that at no distant date he would be able to solve the problem to the satisfaction of all concerned. I waited for that. As luck would have it, he has been transferred. Another man has come and that is Mr. Dobbs, who is an officer of great experience. I hope he will be able to grapple with this problem satisfactorily. I am awaiting his report. As soon as it comes I hope I shall be in a position to come to a decision. If the necessity arises for me to go to the spot and have it settled amicably by using my own personal influence or my powers of persuasion with the parties I assure the House I shall have no hesitation in doing so. That is how the matter stands at present. I can only assure you that this matter will receive my most anxious, careful and early attention. With these words I resume my seat.

**The Hon'ble Thakur Rajendra Singh :** I will not take much time. I have been listening attentively to the speeches of the honourable members both to-day and yesterday. I am thankful to them for the wholesome criticisms they have made about the departments that are under me. Without going into details—because I think the most suitable time for this will be when I have the honour to present the budget of my department.—I assure the House that in every department with which I am concerned we are doing our best. The points that have been raised by the honourable members have been carefully noted by me and I shall explain the position at the time of presenting my budgets.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I have noted down the different criticisms made and the various points raised by the honourable members of this House, but before I deal with those points, I should like to say a few words about the complaint that has been made by some honourable members of this House that the expenditure in the reserved departments, especially under police, judicial and jails is increasing. Sir, I am sure the honourable members of this House are sincerely desirous that the individual liberty, the birth right of humanity, should be preserved. I am sure that they are desirous that the peaceful citizen should not be allowed to be harassed by those who unfortunately possess a criminal mentality, and I am sure that they are anxious that the weak should not be allowed to be trampled down by the strong. Sir, if this is the desire of the

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honourable members here, I would beg to impress upon them that it is not possible to achieve all these things unless there is an efficient and sufficient police force. It is not possible to achieve them unless there is an independent and honest judiciary. For these reasons I hope that honourable members will not grudge the amount that is spent on the judiciary, police, and jails. I wish that my departments could share the same popularity which is enjoyed by the Transferred departments in this House. But I do not grudge that popularity to them. Still I would like to impress on the Council, if not for the sake of these unfortunate departments which are in my charge, at least for the peaceful development and progress of the nation-building department it is necessary that these departments should be allowed to work soundly and efficiently. Therefore, I hope that honourable members, when the demands will come before them, will give their ready support to my departments.

Coming to the points raised by various members, first of all I will take my honourable friend Pandit Badri Dutt Pande. He said that there are no Munsifs and Judges in the Kumaun division. In reply to a question the other day I informed the Council that it was on the 1st April, 1926, that we notified that that area had come under the Allahabad High Court, and the whole matter is under the consideration of the High Court, and it is for them to advise us on this point whether Munsifs and Judges should or should not be appointed, and, if they are to be appointed, what should be the number and where they should be located?

The other point raised by my honourable friend was about the Naik Reform Bill. I beg to assure the House that I am not sitting tight over the Bill. I hope that as soon as the budget discussion is over we shall be able to proceed with the Bill.

My honourable friend the member for Saharanpur raised a question affecting his own community. He said that there are very few Gujars in the police service, that there are only two sub-inspectors there. I am glad to receive the suggestion from that quarter. At last my honourable friend has started to plead the cause of their community for Government's service and I can assure him that if the right type of men are forthcoming full consideration would be given to the rights of his community. I was also satisfied to learn from my honourable friend that he is satisfied with the work done by the cattle-theft police in the Saharanpur district.

The third point raised by him, or by somebody I do not remember, was about three magistrates who are said to be illiterate. If their names can be brought to my notice I will be willing to make an inquiry into the matter.

One other point remained which was raised by my honourable friend Mr. Mathura Prasad Mehrotra. He asked me why it was that there was increase in the non-voted items in the present budget. I assure him that it is not due to the fact that we have increased the number of non-voted posts in the Police department, but it is due to this, that, according to the recent orders of the Government of India, the salaries of all officers who are transferred from the Provincial to the Imperial service should be shown as non-voted. That is the reason why there is a decrease in voted items.

**Mr. E. A. H. Blunt:** As it happens to be the first time that you called me you will allow me to congratulate you on being where you are. I am sure that you will adorn the chair as much as the chair adorns you.



Sir, one of the members who spoke yesterday quoted a remark of mine. He reminded me that I had once said that it is an awful thing to prepare a budget, a more awful thing to explain it, and a most awful thing to understand it. I should like to explain, if I may, some of the awfulnesses of the budget, other than those which are apparent on the surface. There are plenty of them. A member, the present Hon'ble President, once complained bitterly because in the provision for a new cattle farm in the budget he could not find any cattle. He was extremely surprised when I explained to him that the cattle were disguised under contingencies. He had never heard of contingent cattle before. On another occasion the Chief Engineer of the Irrigation branch came to me and told me that he wanted to buy an elephant. I asked: "Under what head do you propose to find the money?" He said: "I have got money under the proper head." Then I asked: "What is the proper head?" He said: "The proper head is Tools and Plant." The honourable member sitting opposite complained that the explanations given in the memorandum were inadequate. Well, Sir, it is possible that this year, what with the new form and the difficulties that we had to encounter, we have given fewer explanations than we might have given. But at the same time I will beg my honourable friend, in fact all members of the Council, to remember that in the memorandum I have definitely invited them, if they had any difficulty whatever, to come and ask some official of the Finance department for assistance. I am not really afraid, Sir, of the torrent of motions for reduction with which my honourable friend has threatened me. Under the bludgeonings of Fate, as incarnated in his person, my head may become bloody, but it will remain unbowed. But I think it will be to the good if he, and other members of the Council, accept my invitation. After all, it does save a good deal of trouble. A good many of these explanations about figures are far more easily given across a table than across the floor of this House. I can bring out the original files and show the honourable members exactly what the position is, how we arrived at our figures. And the process would only take five minutes. It also means, of course, a saving of the time of the Council. I do not know that it is precisely the *duty* of the Finance department to supply private members with explanations, still less, as has occurred on more than one occasion, to supply them with material with which to attack the Finance department itself. But if it is not their duty, at all events it is a pleasure. The officers of the Finance department are men of few pleasures; and, as it is in the power of the members of this Council to give this pleasure to the Finance department, I hope that they will not refuse to do so.

There is one point to which I may make special reference. Several honourable members complained about the increase in the non-voted provision. One or two seemed to think that it was my fault. Well, Sir, I can assure the House that I am not empowered to alter the distribution from voted to non-voted. One honourable member would also have us explain how exactly it happened. The explanation will be found in the last paragraph at page 15 of the Memorandum. I put it there because otherwise I should have to put the same explanation in demand after demand.

This is a young Council, and it is not used to these financial mysteries; and perhaps honourable members will allow me to give one word of advice. When they are making comparisons they should always take care that they are comparing two similar things. There have been comparisons

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made both to-day and yesterday which were vitiated by the fact that the members making them did not realize that the two figures that they were comparing were essentially different, as including expenditure in one case which was not included in the other. It is always well, therefore, to be careful in selecting your figures. Comparison of dissimilars is not only illogical, but it makes reply very difficult. One member said that he wished the entire police force to be literate. Well, Sir, in theory I agree with him entirely. He further went on to complain that there were too many graduates and that there were no openings for them. Well, of course, the obvious solution is for graduates to join the police. I do not know whether that will ever happen, but it is at any rate a consummation devoutly to be wished. But the point I wish to make is, does the honourable member realize what it would mean in the way of cost if the entire police force were literate? Take the English police force, which is all literate. The English police recruit, when he joins service, draws 55 shillings a week besides free quarters, uniform, boots, travelling allowance, etc. Fifty-five shillings at the ratio of 1s. 6d. amounts to over Rs. 150 a month. If we were to put our police force on the same scale as in England, the police bill, instead of being 160 lakhs, would be well over 16 crores. Literates are cheaper in this country than at Home, but even allowing for that undoubted fact, the expenditure in that case would amount to at least five times what it is at present.

One honourable member, who is not present to-day, referred to the creation of a "reserve fund." They have created one in the Punjab; and, as a matter of fact, we are watching the results with a certain amount of interest. May I, however, inform the honourable member that the creation of the reserve fund merely amounts to taking a part of the balance and calling it by another name? Your balances are your reserve fund; and, if you choose to take five or ten lakhs every year out of them and put it aside, all that you are doing is to limit your own power of drawing for expenditure or the balances.

My honourable friend, the member for Naini Tal, blamed me for having ceased to produce a progressive statement of expenditure. I think I stopped doing that two or three years ago. It was all very well for two or three years; but when it comes to five, six, or seven years the statement becomes so involved that it is literally a case of not being able to see the wood for the trees. For that reason I have discontinued it. However I will start it afresh if the honourable members so desire, but the figures will not be for more than three years. The same member also complained that this new form of the budget did not give all the information that was given in the old. I am not sure if he has realized that at the end of the main volume a certain amount of that information is given. There is shown, for instance, the distinction between the reserved and transferred and between the voted and non-voted for the budget year. There is also a comparison between the actuals, the budget, the revised budget, and the proposed budget.

**Pandit Govind Ballabh Pant:** What I said was that in the old form the distribution between voted and non-voted and reserved and transferred was given not only for the budget year, but also for the current year, and the figures for the current year had been omitted.

**Mr. E. A. H. Blunt :** I was about to plead guilty to that impeachment when I was interrupted. I will see that it is put in again in future.

I now come to various minor points. One honourable member referred to items 2 and 4 on page 106. He was surprised to find that under the head "Training College" the pay of establishment in 1926-27 was estimated at Rs. 11,000. That it was again estimated at about the same figure in 1927-28; while the revised estimate was Rs. 45,000. The second of the two figures shows precisely the reverse position: the estimates are about Rs. 42,000 and the expenditure is only Rs. 2,000. As a matter of fact, one item explains the other. These are due to a change in accounting. We have decided to change stipends, which were formerly shown under "Pay and Establishment," to "Supplies and Services," for the obvious reason that the people who get the stipends cannot be regarded as part of the establishments. We did that both for the budget estimate of last year and of this year; but unfortunately we could not do so in the case of the revised estimate simply because the accounts are not kept in sufficient detail. You will find precisely the same in the actuals of the previous year. This is a mere change of accounting. The same honourable member also complained that the figures given in one part of the budget do not correspond with the same figures where they are given in another part of the budget. This is due to refunds, which are shown in the accounts, for reasons best known to the Auditor-General, as deductions from revenue. At the same time they have to be voted; consequently they must appear in the demands, though they do not appear in accounts. As a matter of fact, next year we intend to take all refunds and make a separate demand of them. One honourable member complained that I have still shown the contribution in the budget. I am afraid he does not realize that the budget was prepared a considerable time before the remission of the contributions was announced, and I obviously could not assume that any remission would occur, still less its extent. Consequently the contribution had to be left in until it had been sanctioned. Another honourable member complained about a lack of serum for cattle in his district, and possibly in other districts. If he will look at page 31 of the budget he will find that the allotment for the purchase of serum has gone up considerably. This year we had budgeted for Rs. 65,000. In the previous year we had only Rs. 30,000, and that was the normal figure; but, thanks to the outbreak of various epidemics, we had to increase the amount both in this year's budget and later by a supplementary estimate. In the budget for the next year we have allotted Rs. 90,000.

That last point that I have to mention regards the Ranikhet and Almora treasuries. One honourable member wanted to know why Ranikhet is regarded as requiring a treasury, whilst Almora has only a sub-treasury instead of a treasury. Each of these two, treasury and sub-treasury, are in the charge of deputy collectors as treasury officers, and transact all the business required of a treasury. There is no difference except in name; in every other respect they are identical. The reason why Ranikhet has the treasury, I believe, is that of the two it has the larger dealings, which is due entirely to the presence of a large cantonment here. But apart from that there is, so far as I know, no real difference between the two.

**The Hon'ble Sir Sam O'Donnell :** I have, in the first place, to some honourable members for the complimentary remarks which made regarding myself. These compliments seem to have caused cc

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to Mr. Bedar and also to the honourable member for Partabgarh, if I understood him aright. I do not think they need have done so, because for the most part these compliments were in the nature of those courtesies which duellists are in the habit of extending to each other before they engage in combat. As soon as the members who passed these compliments warmed to their task they made it clear that they were not going to be lacking in criticisms. I make no complaint on that score. Criticism is a function, one of the most important functions, of the legislature, and I should be the last to resent the fact that the criticism is couched in vigorous terms. On the other hand, Sir, I have not been perturbed by these criticisms because I believe that to these we have a good answer.

Some honourable members complained that insufficient time was allowed for the examination of the budget. If they will look at the calendar for March they will see the reason for that. For obvious reasons we desired to present the budget in March after the Government of India had announced their intentions regarding the remission of provincial contributions. It was thus impossible to present the budget earlier than March 3. We had originally intended to present the budget on that date. It was then represented to us that that date would be inconvenient to the Hindu members of the Council, and accordingly we altered the date to the 4th. Then we had to allow for Holi holidays and also for the time which members of the Council naturally required to go back to their homes for these holidays and for their return. And, finally, the budget had to be finished by the end of March. If all these factors are taken into account, and also the fact that the various demands are grouped in two-day groups, it will be seen that it was necessary for us to have the general discussion on the 9th and 10th.

Now, Sir, the next point to which I pass is the famine insurance fund. Criticisms on our action with regard to that fund are practically the same as those which were made in the previous year and our answer is the same. Whether we were technically justified in debiting the interest on Sarda to the famine insurance fund depends on the interpretation placed on a particular rule in the Devolution Rules. I see no point in my attempting to argue across the floor of the House regarding the wording of that rule and the sense in which it should be interpreted. But we considered carefully that rule, we examined it very carefully, and we came to the conclusion that its terms justified us in making this charge. That is the technical aspect of the question, but from another and broader aspect it cannot be denied that the Sarda canal is a form of insurance, and, indeed, the very best form possible of insurance. That canal will ensure against famine a large area spread over a dozen districts and including districts in which in past famines the expenditure was extremely heavy. I agree that the amount actually standing in the famine insurance fund is undesirably low. I could not follow the argument that by debiting the Sarda interest to the famine insurance fund we were mortgaging the future, but I do admit that the amount standing to the credit of the fund is a good deal lower than I should like to see it. I do not, indeed, believe that we shall ever require in any future famine the maximum amount for which the rules provide, nor is that the opinion of any experienced revenue officer. We are all convinced that the expenditure on the next famine, having regard to the great increase in the resisting power of the population since 1908, will

be on a much lower scale than it was in 1908: still, it would be of advantage to have a larger sum in the famine insurance fund, because, should there be a succession of bad seasons, it would not be necessary for us to borrow. It is true that, if we did borrow, a good deal of the money would be spent on advances which would subsequently be recovered, but still there would be a certain portion which would not be so recovered, and therefore it would be better if we had a fund which would obviate the necessity of borrowing, and I hope that in future years it will be possible gradually to build up that fund. At the same time I must point out that I do not see how that can be done if at the same time all increases in our revenues are to be devoted entirely to the Transferred departments.

Now I pass on to our debts. Here the charge against us is that we have incurred debts recklessly. Well, Sir, let us look at the debts, let us see which of our debts could have been avoided. I need not, perhaps, say anything about the pre-reform debts, because the pre-reform debts were an obligation taken over by us at the reforms. The provincial loans account is being rapidly repaid, and the interest on the irrigation debt is much more than covered, taking the irrigation works as a whole, by the receipts from the canals. Passing then to the post-reform debts, the most important loans taken were, first, the United Provinces Development Loan of 1922. I can speak regarding that loan with a certain detachment, because I was not a party to the raising of that loan. Is it a fact, Sir, that when the decision to raise that loan was taken, the attitude in general was one of opposition? Was the decision challenged? Well, I was not here at that time, but I do not think anything of the sort occurred. Then is it not rather late in the day to complain of the raising of that loan? It is quite true that part of that loan has been used to meet expenditure normally debitabale to the revenue accounts. As regards that all that I need say is that up to the end of 1922-23 the overdraft on the loan was 125 lakhs, and we anticipate that the overdraft at the end of the coming year will be substantially smaller.

Then, Sir, the next big loans are the advances taken for the Sarda canal, which amount to 531 lakhs out of the 767 lakhs raised in the last four years. I understand that nobody questions the desirability of taking that loan. Then, Sir, 48 lakhs were borrowed for the reconstruction of works damaged by the floods, mostly irrigation works. That expenditure had to be incurred, it was, too, expenditure which admitted of no delay. If, for example, we had not reconstructed the Dhanauri dam the whole of the Upper Ganges canal would have gone out of action. Therefore, I think, it will be admitted by our severest critics that that expenditure had to be incurred and had to be incurred at once. And I cannot see how in a year of that kind we could have found 48 lakhs from our revenues.

Then I come to the loans raised for the roads and police. I am not sure if there is not some difference of opinion regarding the loan raised for the roads. The honourable member for the Allahabad University objected to the loan even for the roads; on the other hand, the honourable member for Cawnpore, Khan Bahadur Hafiz Hidayat Husain, approved of that loan, and, judging from the fact that other members did not refer to it, perhaps it may be taken that there is no general disapproval of that loan. In any case, the expenditure in the case of both loans was not only urgent but imperative, the most important sections of our roads were rapidly deteriorating. They were not fitted to stand traffic to which they are now subjected, they had not been constructed to carry such traffic and therefore they had to be reconstructed on modern

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As to the police buildings, as far back as 1919 the really urgent projects amounted to 50 lakhs, and, partly owing to the floods, partly owing to the continuous enforced retrenchments over a series of years, they went on increasing till they amounted to a crore. I am well aware that there are other departments in which there is need for expenditure on buildings, e.g., the Revenue department, which has a programme of 68 lakhs, and the High Court and the Chief Court which have programmes of about 30 lakhs. I am also prepared to agree that for primary schools more money is required. I am glad to see with regard to primary schools that there seems to be a change in the attitude of non-official members. I can remember the time—I believe the honourable member for Partabgarh, too, can remember the time—when it used to be said with regard to primary education that we were wasting money on bricks and mortar. Well, that was a view which I never took, and I am glad to see that the Council seems to be coming round to the view I took then, namely, that in the long run *pucca* buildings are the most economical. Not that educational buildings have been ignored during the last four years, during that period 48 lakhs of Government money were spent on them. But neither the education buildings, nor the revenue buildings, nor the judicial buildings were in the same category as the police buildings. In the Police department the position was that police stations, lines, hospitals and out-posts in many cases had collapsed and become uninhabitable; in many cases it was impossible to hire accommodation, and officers and men were compelled to spend the hot weather and the rains in temporary huts. Last year I think a statement was placed on the table of every member of the Council regarding those buildings. I invite the attention of the honourable members to the photographs on that statement, they will, perhaps, agree then that these buildings stood in a category by themselves.

I should have, of course, preferred to have found the money from revenue. I shall deal later with the question of the expenditure in the reserved departments. Assuming, however, for the moment that this money could not have been found by retrenchments in the reserved departments there was clearly no other way to meet it except by borrowing, unless we were to make the most drastic reductions in the transferred departments, a course which could not, I think, have met with the approval of our critics. Then there was a sum of 47 lakhs which was borrowed and lent to local bodies. That sum, of course, is only nominally part of our debt. We borrowed the money from the provincial loans fund and we gave it to the local bodies and it is they who have to repay it.

I agree that there is a distinction between productive and unproductive loans. I agree that one ought to be much more careful in raising loans for unproductive purposes than for productive purposes. But how does the case stand as regards the last four years with which I have been concerned? During that period the net amount of unproductive debt has increased only by 35 lakhs. That is not a sum which need cause us any undue embarrassment or anxiety.

The honourable member for the Chamber of Commerce, Cawnpore, apparently thinks that because we have borrowed at a rate during the past we are bound to go on borrowing at that rate during the future. That is an argument which I entirely fail to follow. I gave particulars of the further loans which we shall require. They amount to 398 lakhs. Two hundred and thirty lakhs are on account of the Sarda. Those

230 lakhs will enable us to finish the Sarda and there will then be no other capital expenditure on the Sarda. Then we require another 73 lakhs to complete the road reconstruction programme. We require 52 lakhs for the police buildings. We require for lending to local bodies another 39 lakhs and a small sum of 4 lakhs for the Council Chamber and the Agricultural College. These are the sums that we require. I see no reason why we should borrow any more, I know of no other capital expenditure which it will be necessary for us to meet from loans. It is true that we have a heavy building programme, but for that we should and can provide gradually from revenue. It is quite true that our debt charges are at present very high: they stand in the year 1927-28 at 165½ lakhs. As I have also explained, they will rise gradually till they reach 176½ lakhs in the year 1930-31. But then it must not be forgotten that thereafter they are going to decrease. They will fall to 135½ lakhs in 1933-34. Further, the Sarda will begin to earn interest before long, and by 1935, or at latest 1941, the receipts will cover the whole interest charges and thus reduce the real burden of our debt by 40 lakhs. Allowing for that, the net burden of our debt in 1940-41 will fall to 95 lakhs and in 1951 it should have fallen to 66½ lakhs. While, therefore, I agree that for the moment our debt charges are heavy, I can see nothing whatever in the debt position which need cause us any anxiety.

Now I come to what is perhaps the main issue in this discussion, namely, the distribution of our resources between the reserved and transferred. After all, when all is said and done our resources consist of our allocated revenues and of such extra sums as may be raised by taxation. Nobody, however, suggests and nobody is prepared to support additional taxation. Therefore, for practical purposes, our resources consist of our allocated revenues and our problem is to distribute those revenues. Therefore, this question really covers most of the criticisms that have been passed on the budget. It covers, in particular, the criticism of those members who complained that this year we have a deficit budget, and that in 1925-26 we also had a deficit budget. It is true that we have had two deficit budgets, but unless it can be shown that they could have been avoided by the exercise of greater economy—and that, of course, from the point of view of our critics means in the reserved departments—how are we to blame? Again, it covers the criticisms of those honourable members who deplore the lack of progress in various departments and who complain of the evils from which the province suffers and our failure to remove them. Unless they can show that the money required could be found by allotting less money to the reserved and more to the transferred departments, then they have no case.

The honourable member for Partabgarh and the honourable member for Naini Tal complained because last year I described the reserved departments as the primary departments. I meant by that no reflection whatever on the transferred departments. In the sense in which I used those words I think the reserved departments are the primary departments. In the first place, they include Land Revenue, Irrigation, Stamps, Forests, which contribute the bulk of our revenues, and perhaps it will be conceded that without revenue there can be no other departments. In the second place, they include those departments which are concerned with the suppression of crime and the maintenance of law and order. Unless there is law and order there can be no other departments such as Education, Medical, and Sanitation. The

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in the sense in which I used the words the reserved departments are the primary departments, they are the foundation on which the whole of the superstructure of the administration rests.

Now, Sir, let us see what is the course pursued during the time with which I have been concerned in regard to these departments, the reserved departments. Partly in 1922-23 and partly in 1923-24 we made economies and retrenchments amounting to a crore of rupees, about three-fourths of which were in the reserved departments. Subsequently we appointed an economy committee. That committee was not a packed committee nor a weak committee. Two-thirds of its members were elected by the Council, and they included some of the most distinguished members of that body. A number of recommendations made by that committee were accepted. Others we were not able to accept. What were those recommendations? They included the reduction of three Deputy Inspectors-General of Police, a Superintending Engineer, and an Under-Secretary in the Irrigation department. They included the abolition and reduction of certain districts and tahsils. They included the reduction of 24 circle inspectors and the abolition of fifth-class jails. As regards the abolition of districts and tahsils I need say nothing. I appreciate the reasons which led the committee to make those proposals. It will be conceded, however, that public opinion was unanimously opposed to any reduction in the number of districts, and even of tahsils. There was great opposition even in those cases in which we decided to reduce tahsils. As regards the other recommendations, I have given our reasons for not accepting them on other occasions and I need not repeat them. What I wish to emphasize is that, supposing that they had been made, what would have been the reduction in expenditure? Ultimately it would not have exceeded 2½ lakhs and immediately, or even at the present moment, it would not have been more than a lakh and-a-half, i.e., a lakh and three-quarters. It can hardly be suggested that would have made any great difference to the nation-building departments.

The economy committee did not deal with the question of commissioners to which a passing reference was made during the course of the debate. A separate committee dealt with that question, and, if the recommendations of that committee had been accepted, there would have been a reduction of 3½ lakhs. We had recently a full-dress debate on the subject, and I do not propose to traverse the same ground again. All I need say is that the expenditure on commissioners is not new; that it is not confined to this province only. With one exception there are commissioners in every other province in India, and that, so far as we are concerned, the matter is settled by the orders of higher authority.

Now, Sir, I will take the years that followed the publication of the report of the economy committee, and the additional expenditure which has been incurred thereon. In presenting the budget I have particulars for three years, including the coming year. Let us add to that the additional expenditure incurred in the year 1924-25 and the total becomes 68 lakhs. Now, Sir, that 68 lakhs was made up of—

Nine lakhs for pensionary charges; seven lakhs for the special dacoity force. That force, as we all know, has done most admirable work, and I believe it is unanimously agreed that its creation was essential. Then about 15½ lakhs were due to such causes as an increase in the jail population, a larger number of temporary courts, an unusual



number of criminal cases and natural growth such as increments, leave allowances, etc., and the votable portion of it was accepted by the Council.

Then there was 15 lakhs for land records and settlements, a matter on which Khan Bahadur Maulvi Fasih-ud-din spoke at length yesterday. I am aware, of course, Sir, that that amount was rejected by the Council; but it was not rejected on the merits. It has always been the practice in this province to have a periodical revision of records, and until a few years ago the need for such revision was never questioned. It is of the utmost importance that our land records should be maintained in good condition, and experience has shown that, unless they are thoroughly overhauled at intervals of no longer than 30 years, they cannot be so maintained. The real reason why the demand was rejected was not because anyone really doubted this. Had there been no connexion, or supposed connexion, with the new settlements that expenditure would not have been objected to by the Council.

Lastly, there was 21½ lakhs for the revision of salaries of the All-India Services arising out of the Lee Commission. Of course, I am aware of the views of the honourable members opposite regarding that. They will not expect me to examine the case for and against the revision of salaries which arose out of that Commission; but there are three points to which I would invite their attention. In the first place, the proposals of the Lee Commission ought in fairness to be taken as a whole. If they did include provision for revising the salaries of the All-India Services they also provided for a very large increase in the Indianization of these services. In the second place, if the salaries of the All-India Services have been revised, has not the same thing been done in the case of the provincial and subordinate services? In the year 1920 the salaries of these services were revised at an annual cost of about 134 lakhs. Lastly, of course, the expenditure is not peculiar to these provinces; it is common to all the provinces in India.

**Mr. C. Y. Chintamani:** May I make an inquiry? Is the 134 lakhs annual cost of the increase in the salaries of the provincial services alone?

**The Hon'ble Sir Sam O'Donnell:** No; provincial and subordinate services both taken together. Well, Sir, another line of approach in this matter is to take the figures of expenditure in the reserved departments for a series of years. The expenditure on land revenue was 77 lakhs in 1921-22 and in 1922-23. In the coming budget it is 88 lakhs. The increase is accounted for by land record work and settlement operations. Of course, the settlements will ultimately be productive. Under law and justice the expenditure was 66 lakhs in 1922-23; it is now 72 lakhs. The rise is due to the increase in temporary and permanent courts. The Council will agree that that increase is necessary.

Then, Sir, there is the general administration department. In 1921-22 it was 137 lakhs, in 1922-23 it was again 137 lakhs, and in the coming budget it is 130 lakhs a reduction of 7 lakhs in spite of the revision on account of the Lee Commission's recommendations. On jails the expenditure in 1921-22 was 36 lakhs, in 1922-23 it was 38 lakhs, and in the coming budget it is 35 lakhs. Lastly, Sir, there is the Police department. In 1921-22 the expenditure was 181 lakhs, in 1922-23 it was 173 lakhs, and now in 1927-28 it is only 162 lakhs.

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Well, Sir, that is my answer to the complaint that we have given too much to the reserved departments and too little to the transferred departments. I maintain that there is no substance in that complaint. We have exercised the most rigid economy in regard to the reserved departments, we have incurred no expenditure that was not only urgent, but imperative. We have given to the transferred departments as much money as we could, and we have on occasions taken risks in order to do so.

Several honourable members have referred to the remarks of Sir Basil Blackett in presenting his budget. We, of course, have read those remarks. We find nothing in them inconsistent with the course we propose to take. We are as anxious as anyone to find more money for the transferred departments. In the first place, however, it is clear that we must cover the deficit of the present budget, of which the Government of India are aware; in the next place, we must provide a closing balance, and the balance which remains is the only money we can possibly allot to new expenditure. Of that new expenditure we propose to give four-fifths to the transferred departments.

In all that I have said, Sir, there has been no intention to question the fact that transferred departments are those departments in which the scope for additional expenditure is the greatest. And I am glad to think that, in my judgement at any rate, the prospects for those departments in the coming years are brighter than they have been for some time past. The honourable member for the Allahabad University is not prepared to admit that. He thinks, for some reason which is obscure to me, that the whole of the remissions will be swallowed up in the loan charges. As I have said, our loan charges will increase for a time, but only to the extent of eleven lakhs, and shortly afterwards will begin to fall. After allowing for the deficit, and after allowing for that temporary increase in our loan charges, the remission of 99 lakhs which the Government of India propose to make will give us an extra 50 lakhs. In addition to that the Government of India have proposed to give us 52 lakhs non-recurring. We have had, of course, no guarantee that the non-recurring portion will be made permanent in the following years, but I think we may take it that, if it is possible to do so, it will be made permanent. In two years' at any rate we may safely anticipate that that portion of the remission will also be made recurring. In that case, adding these two together, we get an addition to our resources of a crore of rupees. Further, our own revenues will begin to increase. There are seven settlements now in progress, which will add a substantial sum to our revenues. When they are completed other settlements will be taken up, and within the next twenty years practically every settlement in the province will have fallen in, and, however moderate the enhancements may be, and there is no doubt that they will be moderate, in the aggregate those settlements will make a very material difference to our total resources. Further, as I have said, the Sarda canal will begin to pay before long and our debt charges will fall. Therefore, Sir, although it is never likely that our revenues will increase as fast as our demands, still I do think that those who are primarily interested in the transferred departments can look forward with some confidence to a period when the needs of those departments will be met in a steadily increasing measure.

**The Deputy President:** As the Government have exhausted their resources, and there will be no further speeches on that side, the Council will adjourn until to-morrow.

## APPENDIX A.

(See page 132 *supra*.)

**Copy of rules referred to in answer to part (b) of starred question No. 1 for March 10, 1927.**

*Copy of rule 8, published with notification No. 556/IX—209, dated June 7, 1926, regarding officers and servants of the district boards and officers and servants of Government lent to the district boards after the previous publication required by section 176 of the United Provinces District Boards Act.*

8.—The retention or retirement of Government servants lent to a board shall be governed by the rules and orders regarding retention or retirement of persons in Government service of the same class.

The chairman shall obtain the opinion of the board each year on or before September 1 regarding the retention of such officers, if during the next official year they will attain the age of 55 years or their extension of service will expire. He shall forward that opinion to the head of the department concerned.

*Copy of rule 56 (b) of the Fundamental Rules.*

A ministerial servant may be required to retire at the age of 55 years, but should ordinarily be retained in service, if he continues efficient, up to the age of 60 years. He must not be retained after that age except in very special circumstances, which must be recorded in writing and with the sanction of the local Government.

## APPENDIX B.

(See page 132 *supra*.)

District.	Middle vernacular schools.	Primary education (ordinary and training classes for men (ordi- nary).	Islamia schools and maktabas.	Depressed class education.	Female education.	Total.	Govern- ment grant.	Board's contribu- tion.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
<b>PROVINCE OF AGRA.</b>								
Dehra Dun ..	9,610	41,500	1,010	600	1,810	54,530	45,040	9,490
Baharanpur ..	27,100	1,08,000	10,990	500	2,400	1,48,980	29,300*	1,19,680
Muzaffarnagar ..	34,980	1,21,500	9,000	2,600	10,750	1,78,830	1,03,720	75,110
Meerut ..	36,060	2,41,200	13,950	11,100	9,650	3,11,860	1,86,420	1,25,440
Bulandshahr ..	34,940	1,43,410	6,520	1,900	3,600	1,89,770	40,500*	1,49,270
Total, Meerut division ..	1,42,690	6,55,610	41,410	16,100	28,110	8,88,920	4,04,980	4,78,940
Aligarh ..	37,020	1,61,400	5,500	1,900	12,890	2,18,650	1,02,770	1,15,880
Muttra ..	19,780	1,12,600	2,600	1,700	2,310	1,38,890	77,130	61,760
Agra ..	28,810	1,67,900	3,230	2,600	12,700	2,15,240	1,37,930	77,310
Mainpuri ..	24,470	1,26,900	5,120	2,020	6,960	1,65,470	95,040	70,430
Etah ..	22,620	1,21,700	2,400	4,700	11,420	1,62,840	1,09,890	52,950
Total, Agra division ..	1,32,700	6,90,500	18,750	12,990	46,220	9,01,090	5,22,760	3,78,330
Bareilly ..	31,980	1,18,160	8,820	8,100	9,710	1,71,720	83,700	88,020
Bijnor ..	34,000	1,17,480	10,420	1,910	5,100	1,68,910	1,24,100	44,810
Budaun ..	33,210	1,18,300	8,400	1,700	4,100	1,64,710	1,16,900	47,010
Moradabad ..	36,950	1,69,300	11,100	3,900	7,300	2,28,550	1,24,240	1,04,310
Shahjahanpur ..	29,280	1,37,400	13,120	1,400	3,140	1,84,840	1,56,440	26,900
Pilibhit ..	19,840	75,180	2,700	2,200	8,210	1,08,190	84,000	24,190
Total, Rohilkhand division ..	1,84,210	7,35,820	54,560	14,210	37,560	10,26,360	6,90,380	3,35,980

Farrukhabad	..	95,760	1,81,800	8,400	8,510	10,710	2,39,980	1,58,880	86,600
Etawah	..	20,450	1,54,200	2,800	2,500	11,690	2,00,640	1,17,010	83,690
Gawnpore	..	34,240	2,80,100	4,220	2,380	10,420	2,81,310	1,53,680	1,21,680
Fatehpur	..	25,200	1,28,910	6,500	1,800	1,800	1,59,210	90,100	63,110
Allahabad	..	97,850	2,71,000	6,720	6,100	13,840	3,35,010	2,11,500	1,23,510
Total, Allahabad division	..	1,62,300	9,61,010	23,640	16,240	47,960	12,16,150	7,31,670	4,84,480
Banda	..	24,540	1,48,700	4,410	500	5,040	1,83,190	1,85,167	28,023
Hemirpur	..	22,240	1,13,100	4,460	2,200	6,270	1,48,630	1,36,093	22,557
Jhansi	..	23,810	1,25,300	2,000	1,650	6,420	1,68,680	1,35,000	33,780
Jalaun	..	24,230	92,800	3,840	2,000	6,950	1,29,820	1,04,620	26,203
Total, Jhansi division	..	94,820	4,80,800	14,710	6,350	24,660	6,30,840	5,10,880	1,09,400
Benares	..	42,530	2,83,860	3,900	3,900	1,780	3,40,920	2,88,500	72,420
Mirzapur	..	19,570	1,41,600	3,700	500	2,690	1,68,060	1,45,780	23,280
Jaunpur	..	47,950	2,58,100	23,530	3,300	1,930	3,38,810	2,72,970	63,840
Ghazipur	..	30,490	1,85,300	9,300	500	3,100	2,29,390	1,78,630	60,460
Ballia	..	36,620	2,80,500	16,970	2,400	1,700	2,87,690	2,44,720	42,870
Total, Benares division	..	1,77,160	10,99,760	61,000	10,600	11,150	13,59,670	11,30,800	2,38,370
Gorakhpur	..	60,670	4,05,000	17,020	4,480	18,720	5,12,440	3,93,520	1,19,920
Basti	..	44,150	3,18,500	13,630	2,600	9,920	3,98,260	2,96,530	91,670
Azamgarh	..	50,150	2,60,000	17,380	3,400	13,610	3,44,510	2,51,690	92,820
Total, Gorakhpur division	..	1,50,970	9,84,500	47,000	10,480	42,250	12,45,210	9,40,800	3,04,410
Naini Tal	..	13,250	66,400	2,360	2,130	3,430	87,370	74,510	13,060
Almora	..	21,460	1,58,700	1,800	3,900	4,000	1,89,860	1,65,710	24,150
Garhwal	..	18,600	1,97,230	700	700	2,170	1,99,400	1,46,300	13,300
Total, Kumaun division	..	53,310	2,62,830	4,860	6,730	9,600	4,96,830	3,86,420	50,410
Total, province of Agra	..	..	..	..	..	..	..	..	..

\* An additional recurring grant of Rs. 30,000 per annum for general purposes will be made from 1926-27.

## APPENDIX B—concluded.

District.	Middle vernacular school.	Primary education (ordinary) and training classes for men (ordinary).	Islamia schools and maktabas.	Depressed class education.	Female education.	Total	Government grants.	Board's contribution.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
<b>ODISHA.</b>								
Lucknow .. ..	21,140	1,19,900	6,410	8,520	8,850	1,54,820	1,27,720	27,100
Unao .. ..	28,860	1,97,600	8,500	2,000	3,130	1,70,080	96,180	78,950
Rae-Barail .. ..	32,850	1,62,600	4,730	2,830	4,700	2,06,690	1,39,000	67,630
Sitapur .. ..	30,050	1,59,500	5,840	8,700	5,380	2,08,940	1,28,950	79,990
Hardoi .. ..	39,480	2,20,000	8,200	3,100	19,500	2,50,280	2,07,480	32,750
Kheri .. ..	27,250	1,05,900	8,700	1,700	6,450	1,45,000	1,11,800	38,700
<b>Total, Lucknow division</b>	<b>1,74,080</b>	<b>9,05,500</b>	<b>31,870</b>	<b>16,340</b>	<b>42,970</b>	<b>11,70,760</b>	<b>8,05,580</b>	<b>3,55,180</b>
<b>Fyzabad</b>	<b>33,310</b>	<b>1,65,470</b>	<b>5,800</b>	<b>2,000</b>	<b>8,900</b>	<b>2,15,480</b>	<b>1,52,900</b>	<b>62,580</b>
Gonda .. ..	28,440	1,68,200	7,400	1,300	5,830	2,10,670	1,34,780	75,890
Bahraich .. ..	22,910	1,51,300	10,880	500	3,300	1,89,440	1,43,553	45,890
Sultanpur .. ..	22,620	1,28,190	9,590	2,000	8,560	1,70,900	1,08,600	62,300
Partabgarh .. ..	17,080	1,54,200	4,540	2,400	4,670	1,82,890	1,17,300	65,590
Bara Banki .. ..	24,700	1,28,450	7,060	1,700	13,970	1,75,880	81,200	94,680
<b>Total, Fyzabad division</b>	<b>1,49,060</b>	<b>8,96,410</b>	<b>45,160</b>	<b>9,900</b>	<b>44,780</b>	<b>11,45,260</b>	<b>7,98,380</b>	<b>4,06,980</b>
<b>Total, Oudh</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>	<b>..</b>
<b>Total, United Provinces</b>	<b>14,80,800</b>	<b>77,71,740</b>	<b>3,48,030</b>	<b>1,19,930</b>	<b>8,85,310</b>	<b>1,00,05,590</b>	<b>68,62,600</b>	<b>31,43,990</b>

## APPENDIX C.

(See page 134 *supra*.)

STATEMENT REFERRED TO IN ANSWER TO STARRED QUESTION NO. 6,  
FOR MARCH 10, 1927.

*Names of honorary magistrates.*

- (1) R. B. Babu Joti Prasad.
- (2) Kazi Muhammad Zafar Ahmad Khan.
- (3) K. S. M. Maqsud Ali Khan.
- (4) Captain A. E. Powell, M.C.
- (5) Lala Narayan Prasad.
- (6) Sh. Fazl-ur-Rahman.
- (7) Sh. Qurban Ahmad.
- (8) Pt. Moti Lall Bhargava.
- (9) Lala Beni Prasad Jain.
- (10) R. B. Abdur Rahman Khan.
- (11) Pt. Brij Bhukan Lall.
- (12) Pt. Sham Lall, Bar-at-Law.
- (13) Subedar Abdul Aziz Khan.
- (14) Lala Asa Ram of Kotah.
- (15) L. Ram Prasad.
- (16) Mahant Pura Nath.
- (17) L. Diwan Chand.
- (18) Rao Chand Khan.
- (19) Mahant Shankar Bharti.
- (20) Lala Jagdish Prasad.
- (21) Lala Bholu Nath.
- (22) Lala Peru Mal.
- (23) Qazi Abdul Ghani.
- (24) Mr. E. J. Ceiston.
- (25) Revd. J. B. Frank.
- (26) Rao Faiyaz Ali Khan.
- (27) K. B. Ashiq Husain Mirza.
- (28) Khwaja Zafar Husain.
- (29) Lala Janeshwar Prasad.
- (30) Lala Madho Prasad.
- (31) Babu Jawala Sarup.
- (32) Pt. Asa Ram of Randewa.
- (33) K. B. Sh. Zia-ul-Haq.
- (34) Pt. Asa Ram.
- (35) Syed Muhammad Mohtishim.
- (36) Babu Atma Ram.
- (37) Qazi Mahkum Husain.

## APPENDIX D.

(See page 139 *supra*.)

## STATEMENT.

<i>Agricultural.</i>	<i>Non-agricultural.</i>	<i>Doubtful.</i>
Ahars.	Goshains.	Bhuinhars
Ahirs.	Kalwars.	and
		Brahmans. }
Bishnois.	Mahajans.	Kayasths.
Chhattris	Banias.	Khattris.
Rajputs and	Sadhs.	
Thakurs.	Marwaris.	
Chauhans.	Kandus.	
Gujars.		
Jats.		
Kurmis.		
Tagas.		
Musalmans.		

## APPENDIX E.

(See page 141 *supra*.)

## STATEMENT.

<i>Tahsil.</i>	<i>District.</i>	<i>Approximate annual saving.</i>
		Rs.
Mahaban	Muttra	10,000
Mirganj	Bareilly	6,500
Aligarh	Farrukhabad	11,580
Ghazipur	Fatehpur	6,512
Bara	Allahabad	6,000
Kulpahar	Hamirpur	6,000
Pailani	Banda	8,160
Kamasin	Do.	8,160
Badausa	Do.	8,160
Zamania	Ghazipur	8,000
	Total	79,072



## APPENDIX F.

(See page 141 *supra*).

*List of districts where one post of clerk in the treasury has been reduced as a result of the separation of accounts and audit.*

Bareilly.	Aligarh.
Jalaun.	Cawnpore.
Muzaffarnagar.	Fatehpur.
Dehra Dun.	Etawah.
Saharanpur.	Banda.
Fyzabad.	Jhansi.
Bara Banki.	Moradabad.
Bahraich.	Gorakhpur.
Almora.	Bijnor.
Jaunpur.	Budaun.
Ghazipur.	Pilibhit.
Benares.	Shahjahanpur.
Mirzapur.	Bulandshahr.
Hamirpur.	Sultanpur.
Hardoi.	Gonda.
Rae-Bareli.	Lucknow.
Basti.	Kheri.
Azamgarh.	Naini Tal.
Agra.	Etah.
Mainpuri.	Fatehgarh.
Muttra.	Allahabad.

## APPENDIX G.

(See page 142 *supra*).

*Statement showing the number of rooms in the new Council Chamber at Lucknow and the purposes for which they have been allotted.*

(i) *On basement floor—*

Police guard	...	...	6 rooms.
Garages	...	...	24 "
Offices	...	...	3 "
Telephone exchange	...	...	1 room.
Records	...	...	8 rooms.
Furniture store room	...	...	1 room.
Box room	...	...	1 "
Godowns	...	...	2 rooms.
Hall	...	...	1
Lavatories	...	...	4

(ii) *On ground floor—*

Library	...	...	1 room.
Committee room	...	...	1 "
Muslim and European luncheon room	...	...	1 "
Hindu luncheon room	...	...	3 rooms.
Offices of Secretary, Legislative Council, Superintendent of Council, Legal Remembrancer, Government Reporters, Government Stenographers, etc.	...	...	38

Hall ... ..	1
Lavatories ... ..	8
(iii) <i>On first floor—</i>	
Council Chamber ... ..	1
Ladies' gallery ... ..	1
Press gallery ... ..	1
Divisional lobbies ... ..	2
Committee room ... ..	2
Hall ... ..	1
Waiting room ... ..	1
Reading room ... ..	1
Hon'ble President ... ..	3 rooms and bath room.
Deputy President ... ..	1 room.
Hon'ble Finance Member ... ..	1 room and bath room.
Hon'ble Home Member ... ..	1 room and bath room.
Hon'ble Minister, L. S.-G. ... ..	1 room and bath room.
„ Education ... ..	1 room and bath room.
„ Agriculture ... ..	1 room and bath room.
Secretaries ... ..	6 rooms.
Deputy Secretaries ... ..	5 „
Heads of departments, Board of Revenue and Legal Remembrancer.	9 „
Government stenographers ... ..	4 „
Lavatories ... ..	6

P. H. TILLARD,

*Secretary to Government.*

## APPENDIX H.

(See page 143 *supra*.)

*Statement showing the allotments sanctioned for repairs to provincial roads in the Lucknow and Allahabad districts during the year 1925-26.*

District.	Amount allotted during 1925-26.	REMARKS.
	Rs.	
Lucknow ... ..	1,36,456	
Allahabad ... ..	98,361	

## APPENDIX I.

(See page 144 *supra*.)*Statement referred to in answer to unstarred question No. 1 for March 10, 1927.*

Divisions.	Ahars and Ahirs.			Ohhattris, Rajputs and Thakurs.			Gujars.			Jats.			Combined total of these castes.		
	1915 <i>Fasli</i> .	1939 <i>Fasli</i> .	Increase or de- crease.	1915 <i>Fasli</i> .	1939 <i>Fasli</i> .	Increase or de- crease.	1915 <i>Fasli</i> .	1939 <i>Fasli</i> .	Increase or de- crease.	1915 <i>Fasli</i> .	1939 <i>Fasli</i> .	Increase or de- crease.	1915 <i>Fasli</i> .	1939 <i>Fasli</i> .	Increase or decrease.
Meerut ..	71,298	71,810	+517	599,208	528,559	-15,644	404,073	418,906	-50,167	772,242	804,251	+32,013	1,846,811	1,819,530	-33,281 or 1·80 per cent.
Agra ..	179,270	198,128	+18,858	1,665,497	1,681,507	-83,990	64,538	61,447	-3,086	576,946	597,065	-39,881	3,486,240	2,438,147	-63,099 or—3·54 per cent.
Rohilkhand	918,171	947,158	+28,987	1,470,906	1,269,966	-170,940	82,805	24,579	-8,226	286,947	289,001	+2,054	2,008,239	1,980,697	-147,580 or—7·84 per cent.
Total ..	468,73	519,091	+48,857 or+9·26 per cent.	8,875,606	8,455,032	-320,574 or—6·00 per cent.	561,411	409,932	-61,479 or —10·96 per cent.	1,685,735	1,680,391	-5,344 or—0·32 per cent.	6,941,286	6,057,976	-243,910 or—8·85 per cent.

## APPENDIX J.

(See page 145 *supra*.)

*Copy of Commissioner's report referred to in answer to unstarred question No. 9 for March 10, 1927, asked by SHAIKH GHULAM HUSAIN SAHIB.*

I had to refuse the appointment of M. Izzat-ullah on the following grounds:—

Though M. Izzat-ullah was 32 years of age he had no experience of municipal work at all, nor of any other work in any capacity. He is a resident of Sandila and owns property in the town. He is a joint co-sharer of his uncle, Chaudhri Abdul Basit, vice-chairman of the Sandila board, and is also connected by marriage with another member of the board.

The question of his appointment as secretary came before the board in their meeting of November 30, 1926, in which both his relations were present. In this meeting it was resolved by a majority of one vote (six against five) that Chaudhri Izzat-ullah be appointed—Chaudhri Abdul Basit voting in his favour.

For these reasons I did not think that his appointment was in the public interest, and therefore did not give my approval to it. The board has since wisely selected the present secretary of the Shahabad municipal board who is an experienced officer and I have given my approval to his appointment.

# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Friday, March 11, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT (102).

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. O. Desanges.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Babu Prag Narayan.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Bahas Bihari Tiwari.  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sunder Lal.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Panda.

Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Raja Raghuraj Singh.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Khan Bahadur Mr. Muhammad Ismail.  
Shaikh Ghulam Husain.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Niamat-ullah.  
Mr. Muhammad Habib.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Bihari Lal.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Mr. E. M. Souter.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

MR. HOBSON, AGRICULTURAL ENGINEER.

\* 1. **Khan Bahadur Hafiz Hidayat Husain** : When was the third Agricultural Engineer, Mr. Hobson, appointed and was he put in charge of the workshops at the time of his appointment?

What specific duties has he got to do in this connexion, and what are his responsibilities?

Is the work allotted to him enough for a full-time servant?

**The Hon'ble Thakur Rajendra Singh** : Mr. Hobson was appointed in November, 1925 and put in charge of the engineering workshops in January, 1926.

His duties are to be in charge of the workshops and of the construction of all parts made therein. He is responsible for the inspection of all parts sent out from the workshops.

The work allotted him is enough for a full-time servant.

**Pandit Brijnandan Prasad Misra** : What post did he hold before he was appointed to this post?

**The Hon'ble Thakur Rajendra Singh** : I do not know.

## INDIAN LIQUOR.

\* 2. **Khan Bahadur Hafiz Hidayat Husain** : (1) What is the quantity of the consumption of Indian liquor in these provinces and what is the revenue derived from this source?

(2) What was the consumption in 1920 and what was the revenue?

(3) Has there been any increase in excise offences since the Government adopted restrictive policy?

(4) What measures do Government propose to adopt to successfully work its policy of restriction?

1920-21.

1925-26.

**The Hon'ble Thakur Rajendra Singh** :

(1) and (2) Consumption of country

spirit (L. P. gallons) ...	...	1,138,030	371,453
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Revenue ...	...	...Rs. 1,10,43,561	Rs. 51,32,908
-------------	-----	--------------------	---------------

(3) The following are the figures for offences relating to country liquor:—

Year.					Number of cases.
1920-21	...	...	...	...	697
1921-22	...	...	...	...	684
1922-23	...	...	...	...	1,210
1923-24	...	...	...	...	1,200
1924-25	...	...	...	...	1,735
1925-26	...	...	...	...	1,382

(4) Government will continue its existing policy and will take such other measures as they may consider necessary from time to time.

**Mr. C. Y. Chintamani :** Is the Government policy one of restriction or total abstinence ?

**The Hon'ble the President :** We have had a long debate on that question—we cannot have another now.

**Mr. C. Y. Chintamani :** I was pointing out the contradiction between this statement and the other statement.

**The Hon'ble the President :** That is a matter of inference.

#### NEW EDUCATION CODE AND JAIL MANUAL.

\*3. **Khan Bahadur Hafiz Hidayat Husain :** When will the new Education Code and the new Jail Manual be available to the public ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to the answer given to starred question No. 36 asked by Pandit Bhagwat Narayan Bhargava Sahib on January 28, 1927. Since that date three more chapters have been sent to the Press.

*Copy of starred question No. 36 on January 28, 1927, asked by PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB and the answer given thereto.*

#### QUESTION.

\* When should the Council expect the publication of the revised Jail Manual ?

#### ANSWER.

\* Forty-two out of fifty chapters are already in the Press. Of the remaining eight, three are under reference to the Government of India ; it is therefore impossible to say when the whole volume will be ready for publication, but the Government hope to have it complete soon.

**The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to the answer given to starred question No. 19 asked by Pandit Nanak Chand Sahib on January 29, 1927.

*Copy of starred question No. 19 of January 29, 1927, and the reply given thereto.*

#### QUESTION.

\* (a) When and what action, if any, do Government intend to take on the report of the Education Code Revision Committee ?

(b) When was the report submitted by the committee to the Government ?

#### REPLY.

\* (a) Government hope within the next few months to publish the revised Code based on the committee's recommendations.

(b) In instalments in 1924 and 1925.

**Babu Bhagwati Sahai Bedar :** Shall we be able to hear anything about the modifications during the jail budget ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think it will be ready by then. It will soon be ready. Out of 59 chapters, 45 chapters have been sent to press. Five more are to be sent.

**Babu Bhagwati Sahai Bedar :** Will the Hon'ble the Home Member inform the Council of some of the modifications made up to this time in the Jail Manual during the jail budget ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is difficult. I do not want the honourable member to anticipate my jail budget speech.

#### INTERPRETATIONS OF ELECTORAL RULES.

\*4. **Khan Bahadur Hafiz Hidayat Husain :** (1) Are Government aware that during the last election different interpretations have been

placed on the rule relating to disqualification for nomination on the basis of conviction under the Criminal Law Amendment Act?

(2) Have the Government in view the appointment of a permanent officer to decide such technical questions instead of leaving the candidate to contest the election by an election petition?

**The Hon'ble Sir Sam O'Donnell:** (1) In one case the decision of a returning officer was reversed on an election petition.

(2) Under the United Provinces Electoral Rules as at present framed no such appointment could be made.

#### APPOINTMENT OF A FACTORY INSPECTRESS.

\* 5. **Khan Bahadur Hafiz Hidayat Husain:** How far has the inquiry promised in answer to Council question No. 82, dated March 11, 1926, progressed and what is the conclusion to which the Government have arrived?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Inquiries have shown that there is not yet any urgent need of an inspectress in this province.

**Khan Bahadur Hafiz Hidayat Husain:** Is the inquiry based on the number employed at present?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Yes—that is also included.

#### BEEF SHOPS IN MORADABAD.

\* 6. **Babu Bhagwati Sahai Bedar:** Will the Government be pleased to state the number of beef shops in the Moradabad municipality?

**The Hon'ble Nawab Muhammad Yusuf:** 156.

**Babu Bhagwati Sahai Bedar:** Will the Hon'ble Minister kindly draw the attention of the municipal board to the desirability of constructing a meat market?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

\* 7. **Babu Bhagwati Sahai Bedar:** Is it a fact that the Director of Public Health has moved the Moradabad municipal board to construct a meat market and discontinue stray beef shops on public roads leading to Ramganga?

**The Hon'ble Nawab Muhammad Yusuf:** The Assistant Director of Public Health, 1st range, in his inspection notes made in August, 1925, suggested to the board that there ought to be two meat markets.

\* 8. **Babu Bhagwati Sahai Bedar:** If so, what action has the Moradabad municipal board taken in the matter and what amount does the Government intend to contribute towards its construction?

**The Hon'ble Nawab Muhammad Yusuf:** No action has been taken by the municipal board for want of funds. The Government were not asked for help.

\* 9 to \*16. **Rai Bahadur Babu Vikramajit Singh:** [*Postponed at the request of Government till March 26, 1927.*]

\* 17. **Rai Bahadur Babu Vikramajit Singh:** Does the Government intend to remove labour on flour mills and oil mills from the categories of hard labour in jails?



**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to the answer given to started question No. 81 asked by Khan Bahadur Hafiz Hidayat Husain Sahib at the meeting of the Council on June 29, 1926.

*Copy of starred question No. 81 of June 29, 1926, asked by KHAN BAHADUR HAFIZ HIDAYAT HUSAIN SAHIB and the answer given thereto.*

QUESTION.

\* Are prisoners still allowed to work on oil *kolhus* and flour *chakkis* in the jails of the province? Do the Government propose to substitute these forms of labour by tailoring or carpentry work?

ANSWER.

\* Yes. Oil and flour are necessary for prisoners in jail, and it is reasonable that prisoners should themselves prepare them for use. Government do not therefore intend to abolish these forms of labour for prisoners sentenced to rigorous imprisonment. But to make the labour lighter, Government have allotted Rs. 6,000 for the purchase of an improved type of oil mill and they have also decided that no prisoner shall be employed on this form of labour for more than fifteen days at a time or for more than four months in the year.

**Pandit Bhagwat Narayan Bhargava :** Are the present prisoners required to work the mills like bullocks?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** They are required to work like men, not bullocks.

**Rai Bahadur Babu Vikramajit Singh :** Is it on grounds of economy or of humanity that the prisoners are required to work oil and flour mills?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is on account of necessity, because we have to provide oil and flour both to the prisoners.

**Pandit Bhagwat Narayan Bhargava :** Is it a fact that such labour is given as jail punishment?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Not always.

**Rai Bahadur Babu Vikramajit Singh :** Is there any difficulty in buying oil and flour from the market?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Obviously it is more costly.

**Rai Bahadur Babu Vikramajit Singh :** How many hours a day do they work on the oil and flour mills?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is given in the reply to this question. If the honourable member will read it he will find that a prisoner is not asked to work at a stretch for more than fifteen days or for more than four months in the year.

**Rai Bahadur Babu Vikramajit Singh :** I am not asking about days; but I am asking about the number of hours per day.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware.

**Babu Bhagwati Sahai Bedar :** Has the honourable member seen with his own eyes how these mills are worked?

**The Hon'ble the President :** That is not a supplementary question.

**Babu Bhagwati Sahai Bedar :** I wish to point out, Sir, that the prisoners who work on these mills work just like bullocks.

**The Hon'ble the President :** The honourable member is giving this information to the Hon'ble Home Member and is not asking a question.

**Rai Bahadur Babu Vikramajit Singh :** What saving do the Government effect per day?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Without calculation I am not in a position to reply to this question.

**Rai Bahadur Babu Vikramajit Singh :** Is the Hon'ble Home Member aware that there are other forms of labour in the jail which are more paying than working on oil and flour mills?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I think there are.

**Thakur Manjit Singh Rathor :** Will Government discontinue the practice of making prisoners work on oil mills?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I see no reason why it should be discontinued.

**Thakur Manjit Singh Rathor :** Is the Government aware that when a number of times this question was asked in this Council the Government said that sympathetic consideration would be given to the matter?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Honourable members are aware that we have already allotted Rs. 6,000 for the purchase of an improved type of oil mill and we have also decided that a prisoner should not be asked to work for more than fifteen days at a time and more than four months in the year. All this is done in deference to the views of honourable members.

**Thakur Manjit Singh Rathor :** Is the practice of working oil mills in the Benares jail, to which attention was drawn in this Council, still continued?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware of the procedure in the Benares jail.

**Babu Bhagwati Sahai Bedar :** Will the Government extend this labour only to those prisoners who commit some jail offences?

**The Hon'ble the President :** This is making a suggestion for a definite action.

**Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state in what way the improved mill will affect the prisoners?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is easy to work.

\*18 and \*19. **Rai Bahadur Babu Vikramajit Singh :** [*Postponed at the request of Government till March 26, 1927.*]

#### UNDERTRIAL PRISONERS.

\* 20. **Rai Bahadur Babu Vikramajit Singh :** Is the Government aware that undertrial prisoners are handcuffed, chained and fettered from jail to court and back?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The rules lay down (1) that undertrial prisoners should not be handcuffed unless there is a reasonable expectation that they will use violence, or

that an attempt will be made to rescue them, (2) that undertrial prisoners of dangerous or violent character will ordinarily be handcuffed and fettered, and (3) that when the magistrate is in a camp the undertrials should ordinarily be handcuffed while in transit, and when kept at night elsewhere than in a lock-up should be fastened to each other by chains.

The Government are not aware that these rules are being infringed.

**Rai Bahadur Babu Vikramajit Singh :** Is the Government aware that handcuffs are used in the case of every Indian undertrial prisoner?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Rai Bahadur Babu Vikramajit Singh :** Is the Government aware of the percentage of cases in which this is done?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Rai Bahadur Babu Vikramajit Singh :** Who decides the question of there being a reasonable expectation that a prisoner will use violence?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The men on the spot who are responsible for conducting the prisoners to the court.

**Rai Bahadur Babu Vikramajit Singh :** Is it the jailor, the superintendent of the jail or the police?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware who, but one of them, I believe. Obviously the Government cannot decide here on this question as to who is dangerous character.

**Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to make an inquiry into the question as to who decides this matter and on what material this is decided?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes, we will make an inquiry.

\* 21. **Rai Bahadur Babu Vikramajit Singh :** Is it the intention of the Government to place such restrictions on undertrial prisoners?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Government do not intend to place on undertrial prisoners any restrictions other than those mentioned in the reply to question No. 20.

\* 22. **Rai Bahadur Babu Vikramajit Singh :** Do Government intend to issue circulars to all jail authorities that where fetters are used the undertrial prisoners should not be handcuffed and chained?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Where it is considered necessary to use fetters, it is usual to use handcuffs also. Undertrial prisoners are not chained while in transit, and the Government do not propose to issue any orders in the absence of any information that the rules are being infringed.

\* 23. **Rai Bahadur Babu Vikramajit Singh :** Is it the intention of Government to issue circulars that in cases of respectable men accused of offences before conviction fetters should not be used?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As already stated, fetters are not used unless the undertrial is a man of dangerous or violent character.

## CASES DECIDED BY HONORARY MAGISTRATES OF CAWNPORE.

\* 24. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to lay a statement on the table showing the number of cases which each bench of honorary magistrates have decided in the calendar year 1926 at Cawnpore ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

Municipal bench	...	...	...	7,104 cases.
Cantonment bench	...	...	...	572 do.

## AMOUNT OF FINES IMPOSED IN MUNICIPAL PROSECUTIONS AT CAWNPORE.

\* 25. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to lay a statement on the table showing the amount of fines imposed in municipal prosecutions and what amount does it work out per head at Cawnpore ?

**The Hon'ble Nawab Muhammad Yusuf** : The required statement is laid on the table.

(See Appendix A, page 265.)

## CASES PENDING IN HONORARY MAGISTRATES' COURT AT CAWNPORE.

\* 26. **Rai Bahadur Babu Vikramajit Singh** : What was the number of cases pending in the court of honorary magistrates on January 1, 1926, and on January 1, 1927, at Cawnpore ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :—**

			Municipal bench.	Cantonment bench.	Rai Bahadur Babu Bihari Lall, II class.
January 1, 1926	..	..	163	9	15
January 1, 1927	..	..	1,578	37	10

\* 27. **Rai Bahadur Babu Vikramajit Singh** : [*Postponed at the request of Government till March 26, 1927.*]

## PRINCIPAL, TECHNOLOGICAL INSTITUTE, CAWNPORE.

\* 28. **Rai Bahadur Babu Vikramajit Singh** : Is it a fact that a principal has to be appointed for the Technological Institute, Cawnpore, in place of the late principal, Dr. E. R. Watson ?

**The Hon'ble Thakur Rajendra Singh** : Yes.

\* 29. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to state what the minimum qualifications have been fixed for the post of the principal ?

\* 30. (1) Will the Government be pleased to state if the post has been advertised ? If not, does the Government intend to advertise the post ?

(2) When is the post going to be filled up ?

**The Hon'ble Thakur Rajendra Singh** : Government have not yet advertised the post, but they intend to do so shortly. The post will be filled after the term of office of the officiating principal expires on May 14, 1927, the candidate must be a scientist of eminence.

**Mr. C. Y. Chintamani** : Was the officiating principal appointed for a definite term ?

**The Hon'ble Thakur Rajendra Singh :** He was appointed to officiate till the return of Dr. Watson.

**Mr. C. Y. Chintamani :** Have the Government any intention of trying to appoint an Indian principal ?

**The Hon'ble Thakur Rajendra Singh :** The post will be advertised in India.

**Rai Bahadur Babu Vikramajit Singh :** What academical qualifications are wanted by the Government for this post ?

**The Hon'ble Thakur Rajendra Singh :** The matter is under consideration.

**Rai Bahadur Babu Vikramajit Singh :** Have the Government not been able to decide what qualifications are required for this post ?

**The Hon'ble Thakur Rajendra Singh :** Not yet.

**Rai Bahadur Babu Vikramajit Singh :** When are they likely to decide it ?

**The Hon'ble Thakur Rajendra Singh :** Very shortly.

**Mr. C. Y. Chintamani :** Are the Government going to appoint a committee to determine what academical qualifications should be possessed by the Principal ?

**The Hon'ble Thakur Rajendra Singh :** This point too is under consideration.

\* 31 and \* 32. **Mr. A. P. Dube :** [*Postponed at the request of Government till March 26, 1927.*]

INSPECTION REPORT OF SANSKRIT *pathshalas* AND ARABIC *madrasas*.

\* 33. **Mr. A. P. Dube :** Will the Government be pleased to lay on the table a copy of the inspection reports of Sanskrit *pathshalas* and Arabic *madrasas* for the last two years ?

**The Hon'ble Rai Rajeshwar Bali :** Government regret they cannot publish the reports on particular institutions, as these are intended for the guidance of the managing bodies concerned. A general report on the progress of Sanskrit *pathshalas* and Arabic *madrasas* is given in Chapter III of the General Report on Public Instruction, a copy of which for the year 1925-26 has been supplied to the honourable member.

AUDIT OF ACCOUNTS OF EDUCATIONAL INSTITUTIONS.

\* 34. **Mr. A. P. Dube :** Will the Government be pleased to state whether the accounts of all the educational institutions which receive grants from the Government have been audited up to the end of the year 1925-26 ? If not, the accounts of how many institutions have been audited, and the accounts of how many remain to be yet audited ? If the number of those institutions the accounts of which still remain unaudited is large enough, will the Government state what the reason is ?

**The Hon'ble Rai Rajeshwar Bali :** The audit of accounts for 1921-22 and 1922-23 of all institutions to which the audit system applies have been completed. The second audit for the years 1923-24 and 1924-25 will shortly be completed.

BOOKS RECEIVED BY THE TEXT-BOOK COMMITTEE.

\*35. **Mr. A. P. Dube :** Will the Government be pleased to state how many books, with the object of selection as text-books or prize-

books, were received by the Text-book Committee of the Educational department during the last three years and how many of these were submitted to the Text-book Committee in each year and how many yet remain to be submitted?

**The Hon'ble Rai Rajeshwar Bali:** A statement is laid on the table of the honourable member.

(See Appendix B, page 266.)

PAY OF THE CLERKS OF THE OFFICE OF THE DIRECTOR OF PUBLIC INSTRUCTION.

\* 36. **Mr. A. P. Dube:** Is the Government aware that since the amalgamation of the Education department of Secretariat with the Director of Public Instruction's office, some of the clerks are getting pay according to time-scale but the others are not? Do Government intend to introduce a uniform system upon time-scale for all in the same department?

**The Hon'ble Rai Rajeshwar Bali:** The clerks who were on the Secretariat cadre are drawing pay on the Secretariat scale. Government do not propose to put all the clerks on this scale.

RECRUITMENT FOR CERTAIN POSTS FROM BARRISTERS, ADVOCATES AND ATTORNEYS OF THE ALLAHABAD HIGH COURT.

\* 37. **Babu Uma Shankar:** Will the Government be pleased to state how many European barristers, advocate, and attorneys were enrolled and actually practising in the Allahabad High Court on January 1, 1900, and how many of them were subsequently, that is, up to date, provided with services under the Crown and the Government as permanent, additional, and officiating judges, government advocates, assistant Government advocates, administrators-general, cantonment magistrates, secretaries of Council, judgement-writers, and other offices? How many of them died or retired without having been provided with any office at all? Has any Hindu barrister been offered any of these or other posts at any time during these years?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The collection of the information asked for would involve a large amount of detailed inquiry and labour and would not serve any practical purpose. The Government do not consider that they would be justified in undertaking it.

**Babu Uma Shankar:** Are the Government helpless to supply the information?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The Government are of opinion that it will involve a large amount of labour and will serve no useful purpose.

GOVERNMENT ADVOCATE.

\* 38. **Babu Uma Shankar:** When was the present Government Advocate appointed? Was the post ever offered to any senior or to other eminent Indian vakils? If not, why not?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) July 29, 1926.

(b) In the appointment of the Government Advocate, Government are for obvious reasons guided largely by the recommendations of the

Hon'ble Judges of the High Court, who in this case recommended Mr. Dillon's appointment unanimously. After considering the cases of all the applicants Government accepted the unanimous recommendations of the High Court and offered the post to Mr. Dillon.

**Pandit Bhagwat Narayan Bhargava :** How many applications were received from Indians in this connexion ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There were three, I believe.

**Babu Uma Shankar :** Was the post offered to an Indian :

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No. As I have stated in my reply, the Government, after considering the cases of all the applicants, accepted the unanimous recommendation of the High Court, on the Bench of which the honourable member will remember there is a strong Indian element.

#### COURT OF THE SESSIONS AND SUBORDINATE JUDGE, FATEHPUR.

\* 39. **Babu Uma Shankar :** Is it a fact that the 2nd Additional Sessions Judge at Fatehpur has been empowered to try original civil suits, small cause court suits, sessions cases, and hear civil and criminal appeals at Fatehpur ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\* 40. **Babu Uma Shankar :** Is it a fact that since very recently all such suits and appeals are filed before the said court ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\* 41. **Babu Uma Shankar :** Is it not a fact that there is no munsarim to receive such suits and appeals ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** For convenience of the public suits are filed at Fatehpur. But as the court of the sessions and subordinate judge has been till now a temporary court and it has not been possible to provide it with a full staff including a munsarim, suits are sent to Cawnpore for scrutiny by the munsarim there as soon as they are filed. A munsarim will be appointed as soon as the court becomes permanent.

**Babu Uma Shankar :** When do the Government intend to make the court permanent ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Probably money for the Court is going to be included in the schedules for new demands and if it is voted by the Council, the Court will be made permanent.

#### COURT BUILDINGS AT FATEHPUR.

\* 42. **Babu Uma Shankar :** Is the Government aware that the building in which the munsif's and the sessions courts are housed is a *kachcha* one ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The building is *kachcha* in the sense that the walls are of sun-dried bricks.

**Pandit Brijnandan Prasad Misra :** With reference to question No. 42, may I inquire what is the difference between a sun-dried bureaucrat and a sun-dried brick ?

**The Hon'ble the President :** It is a matter for a dictionary.

\* 43. **Babu Uma Shankar** : Is the Government aware that there is no record room for the said courts ?

\* 44. Is it a fact that there has been a proposal to make a record room ? When do Government propose to have one made ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : There is no record room at Fatehpur, but an estimate has been prepared and sanctioned for certain additions to the court building, which will be constructed as soon as funds are provided. An entirely new building for the courts is not considered necessary at present.

#### JUDGES' RESIDENCE AT FATEHPUR.

\* 45. **Babu Uma Shankar** : Is there any government building or bungalow for the residence of the judge at Fatehpur ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : No ; the sessions and subordinate judge lives in a house built by the Government Pleader of Fatehpur.

\* 46. **Babu Uma Shankar** : (1) Does the Government propose to make a *pasca* building for the said two courts ?

(2) If yes, when ?

(3) If not, why not ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : There is no record room at Fatehpur, but an estimate has been prepared and sanctioned for certain additions to the court building, which will be constructed as soon as funds are provided. An entirely new building for the courts is not considered necessary at present.

#### RAILWAY LINE FROM BINDKI TOWN TO BINDKI ROAD STATION.

\* 47. **Babu Uma Shankar** : (1) Is it a fact that there is a proposal to connect Bindki town (Fatehpur district) and Bindki Road station with a railway line ?

(2) If so, when is the work likely to begin ?

(3) If not, will the Government consider the proposal ?

**The Hon'ble Sir Sam O'Donnell** : (1) Yes.

(2) The Government are unable to say, as the line has not yet been surveyed.

(3) Does not arise.

#### HIGH SCHOOL, FATEHPUR.

\* 48. **Babu Uma Shankar** : Is it a fact that there is only one high school at Fatehpur ?

**The Hon'ble Rai Rajeshwar Bali** : Yes.

\* 49. **Babu Uma Shankar** : Is it a fact that there is an Anglo-Sanskrit *pathshala* up to the VIII class ?

**The Hon'ble Rai Rajeshwar Bali** : Yes.

\* 50. **Babu Uma Shankar** : How many sections there are in the IX class in Government high school ?

**The Hon'ble Rai Rajeshwar Bali** : Two.



\*51. **Babu Uma Shankar** : (1) Is it a fact that boys are refused admission to the IX class for want of accommodation?

(2) How many boys are there in the IX class?

**The Hon'ble Rai Rajeshwar Bali** : (1) No.

(2) Fifty-four.

\* 52. **Babu Uma Shankar** : Does the Government intend to open another section in the IX class next year?

**The Hon'ble Rai Rajeshwar Bali** : No.

\* 53 to 61. **Babu Uma Shankar** : [*Postponed at the request of Government till March 26, 1927.*]

### UNSTARRED QUESTIONS.

#### CONSTITUENCIES OF THE LEGISLATIVE COUNCIL.

1. **Khan Bahadur Hafiz Hidayat Husain** : How many constituencies of the Legislative Council are there in these provinces that have joint electorate and could return a member of any community?

Will the Government be pleased to name them and the number of seats allotted to each constituency?

What has been the number of Muslims returned from each of such constituencies in the years 1920, 1923, and 1926?

**Mr. R. L. Yorke** : A statement is laid on the table containing the information asked for.

(*See Appendix C, page 267.*)

#### Shuddhi OR Tabligh MOVEMENTS.

2. **Khan Bahadur Hafiz Hidayat Husain** : Is it permissible for government servants, paid chairmen or secretaries of bodies such as improvement trusts, or municipal or district boards to indulge in *shuddhi* or *tabligh* movements, meant for reclamation or conversion of persons belonging to faiths differing from the faiths of officers mentioned?

Are they required to take the sanction of the Government or the bodies under whom they serve before they participate in any of these movements?

**Mr. G. B. Lambert** : The only rule is rule 23(1) of the Government Servants Conduct Rules, a copy of which is laid on the table. The rule does not apply to paid servants of improvement trusts, or municipal or district boards, unless they are government servants.

(*See Appendix D, page 268.*)

#### MUSLIM HONORARY MAGISTRATE IN JALAU.

3. **Khan Bahadur Hafiz Hidayat Husain** : How long has there been no Muslim honorary magistrate in the Jalau district? Will the Government be pleased to state having regard to the answer given to unstarred question No. 24 of July 1, 1926, when did the solitary Muslim honorary magistrate resign or cease to work?

**Mr. R. L. Yorke** : November 9, 1925.

## COUNCIL MEETINGS.

4. **Babu Bhagwati Sahai Bedar :** (a) Will the Government be pleased to give figures showing the total expenditure by Government, excluding non-recurring charges in connexion with the Council meetings held during the months of May to September in the years 1924 to 1926, showing the amount of travelling allowance and halting allowance of non-official and official members including their establishment separately?

(b) The number of days it sat ?

(c) The place where it met ?

**Mr. R. L. Yorke :** (a) It would be impossible to furnish the information for which the honourable member asks without a detailed examination of the travelling allowance bills of official and non-official members for nearly every month of the year, which would entail labour out of all proportion to the value of the results.

(b) & (c) 1924 ... 6 days—Lucknow.

1925 ... 5 days—Lucknow.

1926 ... 24 days—Naini Tal.

## LOAN TO KARUNDIA INDUSTRIAL COMPANY, LIMITED.

5. **Rai Bahadur Babu Vikramajit Singh :** Did the Government advance any loan to the Karundia Industrial Company, Limited ?

**Kunwar Jagdish Prasad :** Yes.

6. **Rai Bahadur Babu Vikramajit Singh :** If the answer to the foregoing question be in the affirmative, will the Government be pleased to state the amount advanced and when ?

**Kunwar Jagdish Prasad :** Ten lakhs of rupees, of which six lakhs were given for the sugar works and four lakhs for the flour works of the company. The loan was granted in April, 1922.

7. **Rai Bahadur Babu Vikramajit Singh :** Following upon the answers to the foregoing questions, if they be in the affirmative, will the Government be pleased to state whether any portion of the principal loan has been repaid up to this date, and whether payments on account of interest due have been regularly received ?

**Kunwar Jagdish Prasad :** The company has paid Rs. 34,000 on account of the sugar works loan. Rupees 27,500 have been credited to interest and the balance to capital repayment. For the flour works loan they have paid Rs. 12,500 towards interest.

8. **Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to state the security against which the loan, if any, was made ?

**Kunwar Jagdish Prasad :** The loans were advanced upon the security of land, machinery and buildings which are the property of the company.

9. **Rai Bahadur Babu Vikramajit Singh :** Is the Government satisfied that the security against which the loan was made is sufficient to secure repayment of the whole sum advanced and has any change been made in the nature of the security since the loan was originally made ?

10. If the security be in the form of a mortgage, will the Government be pleased to state whether it is a first mortgage in favour of Government or a second mortgage?

**Kunwar Jagdish Prasad :** Government, so far as they can see at present, consider that the loan for sugar works on which they have a first mortgage is more secure than the loan for the flour mills on which they have a second mortgage.

11. **Rai Bahadur Babu Vikramajit Singh :** Is the Government aware that certain creditors have obtained decrees against the Karundia Industrial Development Company, Limited, and having failed to secure satisfaction of the decreed amount are taking steps to place the company into liquidation?

**Kunwar Jagdish Prasad :** The answer is in the negative.

12. **Rai Bahadur Babu Vikramajit Singh :** Does the Government apprehend that the liquidation of the company at the present time would endanger the repayment of the government loan in full?

**Kunwar Jagdish Prasad :** Government do not wish to express any opinion on this point at present.

## BUDGET, 1927-28.

### DISCUSSION OF DEMANDS FOR GRANTS.

#### Demand No. 1.

#### HEAD 22—GENERAL ADMINISTRATION.

**The Hon'ble Sir Sam O'Donnell :** I beg to report to the Council the recommendation of His Excellency the Governor that a sum of Rs. 1,07,39,448 be provided to defray the expenses in connexion with charges on general administration, and move that this sum be voted.

**The Hon'ble the President :** With regard to amendments, the procedure will be that I shall take them sub-headwise. I shall first take the substantive reductions in connexion with a particular sub-head and then the token reductions. This is the practice that I followed last year, and I propose to adhere to it this year also.

**Pandit Bhagwat Narayan Bhargava :** I beg to move a reduction by Rs. 18,000 of item concerning supplies and services C staff and household of Governor (page 7 of the Detailed estimates) under sub-head "Head of province Executive Council and Ministers."

If honourable members will refer to the memorandum of the budget, they will find the following reason for this variation: "The former is accounted for by an increase under Supplies and services of 19, due to a quinquennial addition made at the commencement of the incumbency of every new Governor." From this I understand that there is a custom that when the term of the Governor expires and when a new Governor is to be appointed, a large provision under Supplies and services is

[Pandit Bhagwati Narayan Bhargava.]

made. We certainly have a great respect for customs, but not for superstitions. I think that such a large provision was never made when His Excellency Sir Harcourt Butler vacated office. In the year 1922-23 there was a provision of Rs. 21,630, in 1923-24 of Rs. 17,421, in 1925-26 of Rs. 18,225, and in 1926-27 of Rs. 14,365, but this year a sum of Rs. 32,940 is going to be provided. I do not think that there is any need for such a large provision, and so I reduce the amount by Rs. 18,000.

**Mr. C. Y. Chintamani :** I move that in the motion just now made the figure of Rs. 9,470 be substituted for the figure Rs. 18,000.

As the honourable member has pointed out, this provision is made in the expectation that a new Governor will be in charge, and on account of the practice or custom or rule, or whatever it may be, by virtue of which every new Governor is allowed to change or renew furniture and other things in Government House, this amount is provided.

I do not think, Sir, although my knowledge is, I confess, antiquated, that the condition of the furniture and other things of Government House is such that it should be renewed at a cost of Rs. 18,000. It was only once in five years that the renewal had taken place, but when the Lieutenant-Governor was raised to the status of a Governor, I believe a larger sum of money was expended upon improvements and embellishments. The tale of the financial woes of the province was recited during the last few days at considerable length. It will, no doubt, be said from the opposite side that Rs. 18,000 or Rs. 9,000 will make no impression upon the financial condition of the province, but that can be said on every reduction that is proposed. I think that we should depart from the practice or custom that is in vogue and apply the policy of economy even to exalted places. We are never told, I speak subject to correction, what happens to the furniture, the carpets, the curtains, and other things when the renewal takes place. I shall be surprised if it can be argued that the whole of it is to be thrown away and that this large amount has to be spent. I would have no hesitation even in voting for the original motion, but I think, being a believer in gradual progress, that a reduction of half the additional amount provided would not be a bad beginning. This is the justification and the explanation of my motion.

**Mr. E. A. H. Blunt :** This money is provided at the beginning of the incumbency of every new Governor for the replacement of furniture and perishable articles of all kinds. The old furniture is of course sold, and thus a certain amount of the money spent comes back. The grant is a very old one. The whole sum is not necessarily spent; and any saving in it comes back to Government in the usual way. As regards what happened when the present Governor took over charge I have only my memory to rely upon. I can say that the sum was provided, but I fancy that he did not spend the whole of it in one year, he had after all only two months in which to do it. I seem to remember that he spent part of it in one year, and the rest was re-allotted for the next year. The honourable member has, of course, quoted the actuals. It seems to me that Rs. 18,000 is not an excessive sum, since it is intended not for one Government House but for three Government Houses : and

they are very large houses containing large amounts of furniture. It is surely only consistent with the self-respect of the province that its Government Houses should be properly furnished. Rs. 18,000 divided by three comes to Rs. 6,000, which is not, I think, an extravagant sum for a Government House. I sincerely hope that the honourable member will not press, and the Council will not pass a motion of this kind.

**Pandit Govind Ballabh Pant :** I beg to move that instead of a cut of Rs. 18,000 one of Rs. 15,000 be made. The reasons, Sir, which have induced me to make this proposal are to a certain extent identical with those stated by the previous speaker. I have, however, looked up the estimates of some other provinces, and I do not find that there is a custom of this sort in existence there. For example, I looked up the estimates of Burma for the year 1922-23, where Sir Harcourt Butler took over charge in December, 1922. I also compared the figures with those of Assam just for the year when the new Governor took over charge, and I found that no allotment had been made for this purpose. I do not think there is a custom of this sort even in this province. I compared the figures for the year 1922-23 with those that were entered against the year 1921-22, and I did not notice any difference. In fact, there had been no increase under the head "Supplies and Services." So that when Sir William Marris, with whom we were acquainted and who belonged to this province, was not given this privilege, I see no reason why a person about whom we know nothing whatsoever should be shown such courtesy. Of course, it does not mean that the new Governor will not get money if he needs it. But let us wait for the occasion. Let us know who he is. He may be an ascetic like the Right Hon'ble Srinivasa Sastri, or he may be a simple man like Sir Atul Chatterjee, who is in England these days, or he may be one recruited from the ranks of public men who may prefer to live the simple life of an Indian out of regard for the poverty prevailing in the country and bearing in mind the state of the pecuniary condition of the people whose affairs he has to administer. We do not know yet whether he will be one of the Lords. Perhaps the Government may be thinking of making a change here. They know that the provision of Rs. 1,20,000 was made expressly on the understanding that the Governor of these provinces would be recruited from England, and so if we get a Viscount or an Earl or a Lord, then the provision will have to be made much larger than what is put now. If we get a Viscount or an Earl or a Lord, I may perhaps agree even to an allotment of Rs. 30 or 40 thousand. But if it is Mr. Chintamani who is going to be the Governor—(hear, hear)—I will ask for even a further reduction and with his consent. So let us wait till the chickens are hatched and then we will see what use can be made of them. So, I think, it is not proper for us, and it does not suit the dignity of this House unless we know the coming Governor very well, that we should earmark a larger amount just now. I particularly object to this amount when in ordinary course we are expecting the appointment from England in view of the fact that the salary of the Governor was expressly raised for the purpose. If that is going to be so, and it will be so, I hope, for the Government will not go on murdering the constitution always, then we will have to allot a much larger amount. In the present circumstances I think let us stick to the state of things

[Pandit Govind Ballabh Pant.]

as it exists, and make the allotment as was made last year. When we have got full acquaintance with the state of things as it will be when the order changes, then we will see what amount we should provide.

**The Hon'ble Sir Sam O'Donnell:** The honourable member for Naini Tal has said that no such provision was made when the present Governor succeeded Sir Harcourt Butler, but Mr. Blunt, who, I think, the Council will agree is more familiar with all the figures in the various budgets than any one else, assures me that that is not the case. The provision was made. The same honourable member said that no provision was made in the case of Burma. Well, I have not got in front of me the budget estimates of Burma and therefore it is not possible for me to refute him by citing the figures. But it is incredible that no such provision was made because the amount of the expenditure is regulated by the orders of the Secretary of State. The amount is not fixed by the Local Government, it is regulated by the orders of higher authorities, and it is incredible that an analogous provision was not made in the case of the budgets of other provinces. There is not the slightest desire on the part of any one that more money should be spent than is required. Mr. Blunt thinks, in fact, that on the last occasion the full amount was not spent. If when the change takes place the full amount is not required, then there would be savings.

**Pandit Govind Ballabh Pant :** May I know what was the savings in the allotment in 1922-23 ?

**The Hon'ble Sir Sam O'Donnell:** I have not got the figures in front of me. As a matter of fact, the Financial Secretary informs me that the Secretary of State has since raised the figure. But as I said the amount to be spent will depend on the judgement of the incoming Governor, and the Council may take it that there will be no more expenditure than is necessary. It is inevitable that in the course of five years there should be a certain amount of deterioration in the furniture, equipment, and so on in three large Government Houses. The maximum amount of Rs. 6,000 provided for each Government House is not, I think, the Council will agree, excessive.

**Pandit Bhagwat Narayan Bhargava :** Mr. Blunt said that in the year 1922-23 His Excellency the Governor was required to spend within two months of that year and the rest during the next two years. If that is so, I think the same remarks will apply this year also, because the term of the Governor will, I believe, expire in December, so only three months will be left in this year. Therefore, I think, I made a mistake in proposing a reduction of Rs. 18,000. I ought to have proposed a greater reduction. It was said by the Hon'ble the Finance Member that a larger provision was made in the year 1922-23, but the figures do not show that. The figure given is Rs. 21,630, and the assumption of Mr. Blunt that the amount was spent during the course of next three years is not correct, as the figures of the following years go to show.

**Mr. E. A. H. Blunt :** I did not say the next three years.

**Pandit Bhagwat Narayan Bhargava :** Under these circumstances I press my motion for the acceptance of the House.

The question that the figure of Rs. 32,940 asked for stand part of the vote was put and the Council divided as follows :—

*Ayes, 43 ; Noes, 41.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. MacNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.

Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. C. Desanges.  
Mr. E. Ahmad Shah.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Rai Bahadur Babu Abhainandan Prasad.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Shaikh Ghulam Husain.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Chaudhri Niamat-ullah.  
Kunwar Bisheshwar Dayal Seth.  
Mr. E. M. Souter.

*Noes.*

Babu Prag Narayan.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Hukum Singh.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Raja Sri Krishna Dutt Dube.

Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Mr. C. Y. Chintamani.  
Hafiz Muhammad Ibrahim.  
Khan Bahadur Mr. Muhammad Ismail.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khawja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Bihari Lal.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

**Mr. C. Y. Chintamani:** I beg to move a (substantive) reduction by Rs. 27,000 of the item concerning tour expenses (page 11 of the Detailed estimates) under sub-head F of "Head of province, Executive Council and Ministers."

The amount that is provided is Rs. 1,27,000. On page 12 details are furnished. Among the details I should only like to call attention to one head "Carriage of goods and cost of special trains for their conveyance between Government Houses." My understanding of this language is that these special trains are those in which even the goods appertaining to the occupants of Government House are carried between one

[Mr. C. Y. Chintamani.]

Government House and another. Now I would call attention to the comparative figures. In 1925-26 the actuals were Rs. 1,15,438. The budget of last year provided Rs. 1,27,000. The revised estimate is Rs. 1,05,000, the budget for next year is Rs. 1,27,000. In my opinion it is the most handsome provision that the Council will be making for the tour expenses of the head of the Government if a round sum of one lakh is provided. I do not think we are called upon to make a larger provision. If one lakh is not found adequate for every journey to be made by a special train I think I can say in reply that I am aware of earlier years when Lieutenant-Governors did not always think it necessary to have special trains for their journeys. In fact, I cannot tell whether the special trains were not more the exception than the rule. I do not think many arguments are required in support of the contention that the provision of a lakh for tour expenses, over and above every other provision made under this head, is not merely adequate, but it is handsome, it is generous.

For this reason I move this reduction.

**Pandit Govind Ballabh Pant :** There is again a motion in my name pertaining to this item (No. 16), and I move for a reduction of Rs. 10,000 from this amount.

I move an amendment to Mr. Chintamani's motion in the hope that the Government will be pleased to accept it. If it comes to voting, I will first support his motion, and if that is defeated, then my own. The reason why I have made this motion will be clear to any one who has cared to look at the figures given on page 12. You will find that the actual estimate for the year which is now closing is Rs. 1,05,000 only. We are not concerned with the budget figure at all. We have to see what is to be the actual expenditure by the end of this year, and the Finance department, according to the figures which they must have received from reliable quarters, hope that it will not go beyond Rs. 1,05,000. The provision this year is Rs. 1,27,000 in the budget for the next year. That means a difference of Rs. 22,000. No reason whatever has been given for this excessive expenditure. In fact, in the budget memorandum no reference is made to it at all. I have not proposed a cut of Rs. 22,000 as in the ordinary course it would have been proper for me to do, as I have taken account of the fact that the present Governor will be going out and a new Governor will be coming in, and it will be necessary for them to go round the province; and even if they do not, there will be a number of people almost in every big place requesting them to visit that centre so that addresses may be presented. Taking that fact into account, I have made an additional provision of Rs. 12,000 over the actual expenditure of this year. That should be able to satisfy the cravings of those who are very keen on presenting addresses to the incoming and outgoing Governors. So I think that for normal purposes while a provision of Rs. 1,05,000 may be enough, in the present case Rs. 1,17,000 should quite do. There is another reason. We do not yet know; I am not sure if even Mr. Blunt with all his resourcefulness is in any way acquainted with the mysteries of the appointment of the Governor or knows who is going to be appointed, and in case he is a gentleman who has not got much of a taste for travelling, he may find that on account of this provision he is being compelled to knock about when he



would not care to do so. In the circumstances, I would again suggest that it is proper to wait for the gentleman to be appointed; let him come in and then we will see who he is. There is a method of voting additional funds by means of supplementary estimates, and if the amount that is placed at his disposal now is found insufficient, then we can add to it later. We would certainly not like the Governor to abstain from touring because of lack of money.

**Babu Bhagwati Sahai Bedar :** There is an old saying "charity begins at home." Since there has been a considerable reduction in the railway fares, I believe His Excellency the Governor will not mind extending that charity from his own household, and the Council will reduce this amount.

**Rai Bahadur Thakur Hanuman Singh :** There is a similar motion standing in my name as that moved by Mr. Chintamani, but instead of moving my own motion I desire to speak on the motion already moved. By proposing the motion which is on the agenda I wanted to know the details of the payments and presents for services rendered on tour. What are those services, and to whom are these presents made? If information is given to the Council on this point, it will, to my mind, be very useful.

**The Hon'ble Sir Sam O'Donnell :** It is quite true that the figures of actual expenditure last year do suggest that a reduction may be possible, but the reason why we have entered the normal provision is simply that a new Governor will be appointed towards the close of the year, and it is quite possible that he may find it necessary or desirable to do extensive touring. It was thought, therefore, better to retain the normal provision so as to provide for that. If the whole sum is not required, it will not be spent. This is quite clear from the figures of expenditure shown here. We had last year a provision of Rs. 1,27,000; only Rs. 1,05,000 was spent. That shows that there is no extravagance in the matter of touring. As regards special trains, I can assure the Council that they are not used except when necessary. A great deal of touring is actually done by motor cars.

**Mr. C. Y. Chintamani :** If the reason stated by the Hon'ble the Finance Member is to hold good, there will be nothing to prevent the Hon'ble the Finance Member or his successor from coming before the Council with that which has become a most familiar thing in Council life, namely, a supplementary estimate. I do not think the new Governor will be put to any inconvenience whatsoever by a reduced provision being made at the present moment. I have only to add that I would have withdrawn this motion if the Government had responded to the invitation of the honourable member for Naini Tal and had accepted his motion. As the Government have not chosen to do so, I do not think it necessary to withdraw my motion.

**The Hon'ble Sir Sam O'Donnell :** The honourable member for Partabgarh says that if the provision is found to be insufficient we could present a supplementary estimate. That is, of course, quite true. But those gentlemen who were members of the last Council will remember that we had been repeatedly told that we present too many supplementary estimates and that we ought to be able to foresee what the expenditure would be in any year. It is for this reason that it appears to us preferable to make the normal provision. As I said before, if the whole money is not required, it will not be spent. The figures show quite clearly that this

[The Hon'ble Sir Sam O'Donnell.]

is so, because last year we had in the budget Rs. 1,27,000 and actually only Rs. 1,05,000 was spent. If during the coming year Rs. 1,27,000 are not required, then less will be spent.

The motion that the sum of Rs. 1,27,000 for tour expenses stand part of the vote was put and declared carried. Mr. C. Y. Chintamani challenged the division, and, when the voting papers were in the hands of the Secretary, Legislative Council, Mr. C. Y. Chintamani said:—

“I desire to call your attention to the fact that a voting paper has been handed over by a member to a chaprassi and he has brought it through the corridor to the Secretary. The doors were not closed, and the voting paper is in the hands of the Secretary.”

**The Hon'ble the President:** That vote will not be counted.

*The Council divided as below:—Ayes, 41; Noes, 50.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
M. A. H. Mackenzie.  
Mr. G. Clarke.

Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. C. Desanges.  
Mr. E. Ahmad Shah.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Rai Bahadur Babu Abhainandhan Prasad.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Shaikh Ghulam Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Fasih-ud-din.  
Kunwar Bisheshwar Dayal Seth.  
Mr. E. M. Souter.

*Noes.*

Babu Prag Narayan.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.

Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Raja Raghuraj Singh.  
Mr. C. Y. Chintamani.  
Saiyid Tufail Ahmad.  
Nawabzada Muhammad Liaquat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Khan Bahadur Hafiz Hidayat Husain.  
Khan Bahadur Mr. Muhammad Ismail.  
Khan Bahadur Saiyid Jafar Husain.  
Khwaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Chaudhri Niamat-ullah.  
Mr. Muhammad Habib.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Bihari Lal.  
Rai Bahadur Lala Mathura Prasad.  
Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

**The Hon'ble the President:** As the House has decided that the figure of Rs. 1,27,000 should not form part of the vote and there are two amendments before the House, one for a reduction of Rs. 27,000 and the other for a reduction of Rs. 10,000, I shall put the second amendment to the vote first.

**Pandit Govind Ballabh Pant:** Will it not be proper, Sir, to put the larger amount first, so that if the larger is not accepted, the smaller one may be accepted?

**The Hon'ble the President:** I thought that the honourable member for Partabgarh said if the second reduction was accepted, the other one would not be pressed.

I put the second amendment first to the House.

The question is that the demand of Rs. 1,27,000 be reduced by Rs. 10,000.

*The motion was put and adopted, the other motion being declared lost.*

**Pandit Govind Ballabh Pant:** I move the item of Rs. 1,08,000 on account of the pay of Ministers be omitted altogether.

The reason why I make this motion is that every time I see the Hon'ble Ministers sitting opposite in a difficult situation I feel genuine sympathy with them. I see how they are between the devil and the deep sea—how on the one hand they are being pressed by this Council and how on the other they find themselves helpless inside the Government. I see how under the constitution under which they are working the agents through whom they have to carry out their policy are not subject to their control. Under statutory rules the Governor has not only the power, but under the Instrument of Instructions I believe it is his duty to see even to the place of posting of every member of the Imperial Civil Services. That is the constitution under which the present Ministers who have been pitchforked before me are being constrained to work. I see that there is not spacious scope for them; even the chairs are not enough to contain them under this constitution, and it is time that we could, even if they are still under infatuation, get them out of their embarrassment. Sir, I think at this hour of the day it is not necessary for me to labour at any great length the points which have been urged from innumerable platforms. Every person is aware of the fact that those who most enthusiastically worked this constitution found it unworkable; every person who has seen or watched its working and studied the report of the Muddiman Committee must have been impressed by the sincerity of the opinions expressed by those who came in very close contact with the working of this constitution, and in the end found that it was a bull or a bullock incapable of yielding anything. I think we should give up the impossible feat now. The preposterousness of it is floating on the surface. Everybody has testified to the fact that it is unworkable. Even the Governor in Council says in the despatch that it is a complex and complicated system based on illogicality. The Maharaja of Mahmudabad, who was Home Member at the time, also said in his note to the Reforms Inquiry Committee that the present system should be at once replaced by the system of responsible Government. I think it is proper for me to

[Pandit Govind Ballabh Pant.]

read out what the Hon'ble Minister for Education and his then colleague, the present Home Member, said on the subject. They said, Sir, the Hon'ble Maharaja of Mahmudabad said, "Dyarchy should go and Government should in future consist of Ministers only." The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. . . .

**The Hon'ble the President:** May I interrupt the honourable member. The turn which his speech is now taking raises the whole constitutional question of a further advance. As regards further constitutional wants, the motion regarding the salaries is such that if he presses the motion and the House omits the salaries, out of regard for further constitutional demands, they will be putting themselves in an awkward position. On the other hand, if the House rejects this motion, they might be taken to have voted against further constitutional progress. If the honourable member's point is only to ask for further constitutional reforms, it will be better done by means of a token cut, rather than by the omission of the salaries of the Ministers. By attacking the salaries, he is attacking the whole policy of the Ministers.

**Pandit Govind Ballabh Pant:** I do not want to attack the personality of present Ministers at all because they have more of my sympathy than envy. As I said at the outset, I am full of consideration for them and not at all actuated by any spirit of personal hostility. So, as I do not think that I should embarrass them by attacking their personalities when they are already embarrassed too much under this system, I confine myself. . . .

**The Hon'ble the President:** Does the honourable member follow the implication of this? If the salaries are omitted, he places them in an awkward position.

**Pandit Govind Ballabh Pant:** The Hon'ble Ministers tell me by their looks that that contingency is very remote. Sir, the Hon'ble Ministers who were then in charge of the transferred departments, and one of whom is now in the inner sanctuary of the Government, said:—"We speak with first-hand knowledge of the working of the constitution. We are of opinion that in these provinces the system of dyarchy should be brought to an end and full provincial autonomy conceded." Mr. Chintamani's opinion I do not consider it necessary to quote at any length. His views are well known. He holds that the system is unworkable. Sir, as he demurs to this, I must read out his opinion. Mr. Chintamani as Minister said that the system was admittedly transitory and has proved to be unworkable, "without grave misunderstandings and frequent friction and unpleasantness which are detrimental to efficient administration and good Government." There is no point in leaving it wholly or very much as it is, because ten years have not elapsed since it was brought into being, and he recommends that "Provincial Governments should be transferred into fully responsible Government." So I submit, Sir, that it is admitted by the Governor in Council, it is clearly declared by the then Home Member, it was also accepted by the present Home Member, and it was the considered view of both the Hon'ble Ministers then in charge of the transferred departments that the system of dyarchy cannot profitably be worked. I put it at that, and what cannot be profitably worked is worth giving up. So I submit, Sir, that there is no

reason why we should cling to this system any further. In fact, the conviction is being borne in upon me by my experience and close touch with this Council, and I am convinced that the present system is more by way of a mask or shield for the benefit of irremovable executive than for the promotion of public good. I am sure that the transferred departments, had they not been transferred to the charge of the Ministers opposite, would never have received that amount of sympathy which they receive to-day, if they had been in charge of the reserved half of the Government. Their personality influences decisions more than the merits of the question, at least in some quarters, and if all had considered them in an impersonal manner, uninfluenced by personal considerations which are inseparable when we know certain individuals are associated with the administration of certain departments, and when some of us desire that they should continue to do so in their own interest, if not in a larger interest, then it becomes necessary, irrespective of the merits of the question that those persons who are favourably disposed towards them, or have affection or regard towards them, should be averse to opposing them as often as they would, if they were actuated by public considerations only. Human nature being what it is, men desire to be associated with those who agree more with them or who do not care to think for themselves, and if I were asked to choose my colleagues, gentlemen whom I desire to be associated with in any work, naturally my choice would fall upon those with whom I find myself in affinity, or who I know can be safe associates of mine, and who I feel will be the best persons with whom I can work in harmony and without friction. In these circumstances I do not think we can take objection to the Governor at one place selecting one class of people and at another selecting another class. I think we should take it that human nature, being what it is, men in power are, above all, anxious to keep the string in their hands. In these circumstances the selection of the Ministers should naturally be made by every Governor according to his own predilections, and his choice should fall on those who are most willing to give effect to his policy consistently with his regard for the security of the Government he must naturally choose those who are likely to carry out his wishes. This leads me to the conclusion that the present system is dominated by the Governor who runs certain departments directly through his colleagues in the Executive Council and others indirectly through the so-called Ministers. I think that the present system is only an instrument for giving effect to the wishes of those who control the Government of this country, not because they are the chosen of the people, but because they have the might to do so. So, Sir, without dealing with this question at much greater length I feel that if you want to make real and substantial progress it is necessary for us to give up all those things which serve as impediments between the present system and the new. Let it be exposed in its true colours; specially I do not see any wisdom in sticking to that which has been proved by experience to be futile and useless. We know what is the present financial condition of the province under the *régime* of the reserved half. We know that the Ministers are under the absolute control of the Finance department so far as the financial administration is concerned. Every scheme of theirs must, first of all, give satisfaction to the Hon'ble the Finance Member before he can be induced to part with money. If I were in his place I certainly would like to be satisfied before allowing any

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money for purposes which I do not myself consider to be sound or wholesome. So any one who is responsible for the administration of the finances of the province must naturally be first satisfied that it is the right thing to do before he can part with the money which he holds in trust with himself.

Then, Sir, it was the professed desire of the framers of the constitution that the Government, though apparently divided into two halves, must function, so far as possible, as a unitary Government, and we were told by responsible persons that dyarchy had succeeded only to the extent that it had been ignored, and that if it has succeeded in any place it has succeeded only where the members of the Government have functioned as members of a unitary system, and that in other places it has failed altogether. I suspect that in this Province not only do Ministers and the members of the Executive Council not work as one Cabinet, but perhaps even the Ministers themselves do not work collectively. In these circumstances, this conglomeration of individuals who have no common tie between them cannot work better than any group of units who are not bound together by a common object. So, Sir, I feel that in every point of view it is proper to omit this amount from these estimates, and it will be a proof of our wisdom if we do so. I believe that it will expedite the day of progress and advancement and speedily lead us on to that consummation which we have at heart.

**Lala Prag Narayan :** I want to move an amendment. Instead of moving for the omission of the total amount I want to move that the amount be reduced by Re. 1.

**The Hon'ble the President :** That requires previous notice. Is there any objection to the amendment being moved?

**The Hon'ble Sir Sam O'Donnell :** Yes, Sir.

**The Hon'ble the President :** As an objection has been raised the amendment cannot be moved.

**Thakur Manjit Singh Rathor :** The honourable mover of this motion has pointed out the constitutional issue which is involved in it. I wish to bring to the notice of this Council one or two points which will show to the members that the honourable gentlemen who are occupying the ministerial chairs at the present time do not—I do not mean to say that they do not command our confidence—I mean they do not justify the *great* sympathy that the non-official members have for them. I will illustrate what I mean by a few examples to show that their activities are not such as to legitimately bring forward overflowing sympathies for them on our part. For instance, I shall mention a small point in connexion with the municipality of Dehra Dun in which a protest was made to the Hon'ble Minister against the raising of certain charges by another municipality. I will be more specific in what I say. What I wish to say is that behind this shield of democracy in dyarchy there is autocracy. That is the point I want to show, though Government want to show that this dyarchy is a kind of democracy. But I want to prove that there is autocracy behind this democracy. The municipality of Dehra Dun made a protest to the Government and to the Hon'ble Minister in charge of this department that

the municipality of Mussoorie has raised the rate for electricity for Dehra Dun to a very great extent. For instance, the rate for power was raised from one anna to eight annas. The honourable members of this Council may imagine the extent of the hardship of the people who consume electricity in Dehra Dun for power. The municipality of Dehra Dun and the members belonging to that local body made a protest to the Government. Europeans, Indian Christians, and all important people in the district made a protest to the Government through the municipality. I also sent a formal protest against this increase in rates. But no action has been taken on all these protests all these months. Not only that. A notification has been issued in the "Gazette" to say that the Government had accepted the enhanced rates for electrical power from one anna to eight annas. In the case of light the rate has been changed from six annas to eight annas. I do not wish to say much in this connexion as I am already giving notice of reduction in connexion with the Public Health department budget. What I want to make clear in this connexion is that the Government and the Minister in charge who are supposed to protect the interests of the people and who expect sympathy at our hands at the time of the budget do not protect our interests and Government do exactly what they like without any regard to the wishes and requirements of the people. I will give another example to illustrate my point . . .

**The Hon'ble the President :** Does the honourable member mean that this motion is a censure ? The House must know that. The issue before the House is of a clear and definite nature.

**Thakur Manjit Singh Rathor :** What I want to say is that a substantial cut is being discussed now in the way of a token motion. I understand that is the meaning which the mover put on it.

**The Hon'ble the President :** When the honourable member moved his motion I said that if the House wished it to be taken as an attack on the policy of the Ministers it ought to be a token cut. The form of the motion before the House is a substantial reduction. As a matter of fact, the honourable member for Agra wanted to move a token reduction and the House did not accept it. Therefore to bring in here things which can only be discussed in a token cut is clearly out of order.

**Thakur Manjit Singh Rathor :** Since it is not my desire that the honourable members who are at present occupying the ministerial chairs should vacate them, and since it will not serve any useful purpose in the present circumstances, I will not press the point any farther.

**Pandit Iqbal Narayan Gurtu :** Are you opposing the motion ?

**Thakur Manjit Singh Rathor :** No. So far as the question of constitutional reforms is concerned, the year 1929 is close at hand. In that year a Commission of Inquiry, will be appointed with a view to report whether India is fitted for another instalment of reforms. That being so, the House should make it clear that the present system of Government under which only a few departments are transferred to popular control is most unsatisfactory, and that what is wanted is that the entire provincial administration should be transferred to the control of the Legislature so that the members in

[Thakur Manjit Singh Rathor.]

charge of the administration may be, if necessary, liable to be removed by the Council. This, I submit, represents the irreducible minimum. With these words I wish to resume my seat.

**Babu Sampurnanand :** I rise to support the motion of Pandit Govind Ballabh Pant. At the outset I wish to make it clear that whether we win or lose on this motion, it is not that we are opposed to a further instalment of reforms, but that we do not want the so-called reforms that we have got at present. Pandit Govind Ballabh Pant has, I believe, made quite clear the principles which guide us in proposing this cut. Whatever our opinions on this point may be, we are not at the moment taking into consideration the merits, individual or collective, of the present Ministers, nor their political views. In fact, in our view such considerations would be quite out of place in the present circumstances of the country. If we have full responsible government a vote of censure on the Government will have some meaning. It will mean that we wish to replace one Ministry by another, but such a thing does not exist here to-day. Therefore, we believe that the ousting of one Ministry and the replacing of it by another does not benefit us in the least. What we want to-day is not that the present Ministry should go, but that, plainly speaking, there should be no Ministry at all in the coming year.

The question of dyarchy has been discussed on a thousand platforms, and I need not discuss it here in detail. But I wish to lay before the House only two or three reasons to show why it has not succeeded so far and why it cannot be successful. In the first place, there is the control of the Finance department. There are two reasons why the control of the Finance department makes it impossible for the Ministers to work the administration successfully. Firstly, the Finance department is not an independent department. It is not impartial as between the two halves of the Government, reserved and transferred. The Finance Member is in charge of certain very important departments of the Government, and as such his control cannot be impersonal as it ought to be. I would here like the Council to refer to page 166 of the Minority report appended to the report of the Reforms Inquiry Committee, where it is said :—"One general complaint against the provision of a very serious character has been made that the Finance Member is also in charge of some spending departments, and that, naturally enough, there is an unconscious desire on his part to promote the interests of those departments at the expense of others, and particularly of the nation-building departments under the control of the Ministers, with the result that in many provinces Ministers have felt that their departments have been starved." That is one point. Another point is, as stated by Pandit Govind Ballabh Pant, that the Finance Member does not look only to the financial aspect of the questions that are brought before him, but he tries to control the policy also, and in this connexion the Minority report says as follows :—"The evidence of Ministers and officers of the Finance department has made it clear that the Finance department, in examining the proposals of the other departments, not only considers the financial point of view, but also considers the policy of the proposals." That, Sir, really means that the work that the Ministers do is only such work



as has been approved by the reserved half of the Government. After all, what is the position of the Ministers? We find here in the report:—"In relation to the transferred subjects the Governor shall be guided by the advice of his Ministers, unless he sees sufficient cause to dissent from their opinion, in which case he may require action to be taken otherwise than in accordance with that advice." How does it work out in practice? It has been stated in the report—"We have particularly in view the evidence of Rao Bahadur Mr. Kelkar that this action reduces the position of a Minister to a mere adviser to the Governor

No similar provision entitling the Governor to override and to dictate the Minister's course of action contrary to their wishes is to be found in the constitution of any responsible government." That is the second thing which in my opinion makes the present system of Government an impossible one.

Then there is a third. The right of access that members of the superior services have to the Governor. The Muddiman Committee made it clear that they wanted this right to be safeguarded. If any member of the superior services, who is supposed to be a subordinate of the Minister, does not agree with the policy of the Minister, he has a right to go to the Governor. Of course, he is asked to inform the Minister as to what he proposes to do, but this is no check on his action.

There is still another trouble. A very important member of the superior services is a member of the Government in the Executive Council and, as Mr. Srinivasa Iyengar said in his address at Ganhati, "the fact that members of the Civil Service are themselves members of the Government makes the Ministers helpless in relation to the Civil Service." This means that if the members of the Civil Service are opposed to any particular policy that the Minister wishes to carry out they will see to it that their representative in the Executive Council comes down upon him. So that those who are in theory the subordinates of the Ministers are in reality their super-ordinates. If there is no more friction than there is at present it is because all the Ministers realize their impotence and keep quiet and the members of the superior services feel that they are strong and they show therefore the courtesy that comes only from the strong. It has been said that in spite of these difficulties and these inherent defects the system has worked fairly well, that there has been expansion in education and industries, and so on. This is a meaningless argument. My point is that there would have been these improvements even if there had been no Ministers. The pressure of the times is such that any Government, howsoever autocratic, would have been compelled to make this advance. This would be quite clear if we look to the budgets of some of the most reactionary Indian States. A comparative study of their budgets shows that they have been compelled to make increasing grants under Education, Industries, etc. I believe that the work that the Ministers are now doing can very well be done by the Directors, Secretaries and Heads of departments; perhaps even more efficiently if these intermediaries between the Governor and the officers were removed. What is the use of preserving this ministerial mask? Dyarchy, as has been said by several people, must go. The motion before us is one which will help us to kill dyarchy if the House supports it. It is no good carrying on the present farce. I hope the Hon'ble Ministers will also support it, because it helps them to extricate themselves from the anomalous position in which they find themselves at present.

**The Hon'ble Rai Rajeshwar Bali :** In the first place, I must thank the honourable member for Naini Tal for the very temperate language in which he has moved his amendment, for confining his remarks to the general discussion of the constitutional position and for giving expression to his feeling of sympathy which he has always shown—and I hope will continue to show—towards transferred departments. Sir, the issue whether there ought to be Ministers or not is now a historical one. We have been discussing it for the last eight or nine years. The country has divided itself into parties over this question, and it has been the battle cry of contending parties during at least the last two elections. The arguments advanced on both sides have been repeated over and over again till they have become stale; and I do not think that it would serve any useful purpose if I repeat them here again. I agree whole-heartedly with the honourable member that it is very desirable that we should see an end of dyarchy; Indian opinion throughout the country is in favour of provincial autonomy. But the reason why some of us have accepted to work dyarchy is that we do not wish to give up even half the loaf in hand in search of the whole one. Whatever the defects of the system may be—and they are many I accept—it will be admitted that during the last six years there has been considerable advance in the departments which have been placed under the control of the Ministers. To take a few examples in our own province, could we have got the secondary and higher education, or the district boards re-organized on their existing models, or could the State be made interested in matters like the encouraging of Ayurvedic and Unani systems or of vernacular literature or the expansion of primary education, or the development of industries and agriculture, to the extent as is at present the case, if we had not the Ministers who reflected public opinion in the counsels of the Government? On the other hand, I do not find how the provinces of Bengal and the Central Provinces have gained by doing away with their Ministers. In fact, both of them have recently rescinded their previous decision. We all desire that the day may come soon when we shall attain provincial autonomy, and, if I may say so, we are working here in order to show the capacity of Indians for that autonomy by discharging, to the best of our abilities, the duties that have been entrusted to us. Therefore I do not think, Sir, I need detain the House very much longer over this question. I believe the honourable mover has, perhaps, moved this motion in order to justify the position of his party rather than in any serious mood.

[Several other members rose to speak.]

**The Hon'ble the President :** I think we had better dispose of this motion before we adjourn for lunch. As it is Friday we will adjourn at 1 o'clock. There is an element of unreality about this motion.

**The Hon'ble Sir Sam O'Donnell :** I do not want to detain the House for long, as you have said that there is an element of unreality about this motion, and it would be a waste of time to argue the case at length. Honourable members who spoke on the motion made no serious attempt to make out a case for their contention that the present constitution is not workable and that there should be no transferred departments and no Ministers. I will just remind them of one fact. What they are asking us to do is to follow the precedents set two or three years ago in Bengal and the Central Provinces. What has happened since? These provinces have since reconsidered the matter. They decided that a mistake was made; they decided to retrace their steps; and they

decided that the proper course was to work the present constitution. I have no doubt that this will be the view of this Council as it is in my judgement the only statesmanlike view.

**Pandit Govind Ballabh Pant:** As I am told that there is an element of unreality about this discussion I infer therefrom that by far a larger number of the members of this House are not open to reason. In these circumstances I will not try to waste my energy in a futile effort. In fact my motion is a business proposition. It is to get out a thing which I say is not given to us. And while advancing such a principle it befits me that I should act up to it and not waste time. As to the Hon'ble the Finance Member's inability to accept my proposition, that is just what he should say, for it is my case that he is in that manner by far better situated to carry out his own policy. Such being the case I am not surprised that he is not prepared to accept my view of it. The Hon'ble Minister has said that it would be very desirable if we could see the end of dyarchy. I say it rests with you and you can put an end to it just now, this minute. But when you do not accede to your protestations, then I see some unreality about your opinion, for if you cannot act up to it yourself, people cannot believe in the sanity of your opinion. That is the second reason why dyarchy existed to this day. The example of Bengal and Central Provinces has been given by more than one individual. But I am constrained to make one observation in this connexion. In Bengal and Central Provinces I have seen one thing, that while dyarchy has been restored, the pressure of public opinion has been increased and Government has learnt to bow before public men and to instal them in the highest places; and here we see just the reverse process, of public men being thrown overboard and public opinion being looked down upon so far as is possible for any Government to do, and as I attach more importance to the principle of vindication of the might of public opinion, which is much more important than the functioning of any set of departments by one set of Ministers or others, I feel that Bengal and Central Provinces have gained the very principle of responsible government by means of the course that they adopted, and even if we had made an addition to the number of new institutions working in our province, we have lost the very soul of that responsibility. I would not press the point further, but I hope those people who referred to this illustration, will bear this aspect of the question in mind.

*The motion that Rs. 1,08,000 be omitted was put and negatived.*

**Mr. C. Y. Chintamani:** I move a (token) reduction of Rs. 100 under sub-head "C.1—Staff and household of the Governor." There are three items in that sub-head, Private Secretary, Aides-de-Camp, Head Assistant and Superintendent of Accounts. With regard to the first two items I have an inquiry to make. I wish to know whether ever since there existed the institution of a Lieutenant-Governor or Governor in these provinces with a Private Secretary any Indian has ever been appointed to that position? I wish to know in a similar manner whether any Indian has ever been in the position of Aide-de-Camp? I am not referring to the honorary Aides-de-Camp. With regard to the third item, Head Assistant and Superintendent of Accounts, whatever considerations—possible, unsubstantial as we are likely to consider them to be—may be urged in respect of the first two items, I imagine

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that similar arguments cannot be put forward in respect of the third item. I wish to know whether the post of Head Assistant in the Private Secretary's office had at any time been filled by an Indian—here I do not mean a statutory native of India, I mean an Indian—whether it was not even the case that an Indian who in the ordinary course might have expected to be appointed Head Assistant was sent back elsewhere instead of being given in that office the promotion to which by virtue of his position in the service he might have aspired? It is not my desire to take up time by needless speech-making, and therefore I will put this question and wait for an answer.

**The Hon'ble Sir Sam O'Donnell :** I cannot congratulate the honourable member from Partabgarh upon this motion. The appointment of the officers to which it refers is a matter for the personal discretion of the Governor. It is entirely right and reasonable that it should be a matter within his personal discretion, because these officers are officers actually belonging to his household. Nowhere else nor in any previous Council has the discretion of the Governor in a matter of that kind been challenged. In no other Legislative Council, so far as I am aware, has any such motion ever been brought forward, and certainly it has never been brought forward in the last six years in the present Council. I think the Council will agree that it is entirely right and reasonable that the Governor should exercise an unfettered discretion in the selection of officers in his own household.

As to the Head Assistant and the Superintendent of Accounts, I am informed that the Superintendent of Accounts is an Indian; the Head Assistant is an Anglo-Indian, and I believe he has held this appointment since the close of the war. There is no reason, so far as I know, why the Head Assistant in the Government House should not be an Anglo-Indian. If he happens to be an Anglo-Indian at the present moment, what is there to object to in that?

**Mr. C. Y. Chintamani :** I am aware, Sir, that the appointments of the Private Secretary and Aides-de-Camp rest entirely within the discretion of the Governor. It was not in ignorance of that fact that I brought this motion before the House. I cannot tell whether in any other Legislative Council a similar motion has or has not been brought forward. For my purposes it is immaterial whatever be the answer to that question. We do not always go by precedent in every matter, and if the Hon'ble the Finance Member wishes to know, I may inform him that I have been aware, for at least a quarter of a century, that the desire expressed by Indian opinion is that the Governors should have if not only one Indian Private Secretary, at all events an additional Private Secretary from among Indians. It has been the opinion of my countrymen which has found expression in public that the Governor's position in relation to Indians would be all the better if he had an Indian in that confidential position. I hope it will not be thought that I presume to dictate to anybody as to whom he should appoint on his own personal staff, but every public man is entitled, with reference to appointments of that description to point out the considerations the acceptance of which in his judgement would be in the public interest.

With regard to the Head Assistant, I do not say that the Anglo-Indian who holds the position should be turned out. I should never excuse

myself if I said that or meant that. But I am aware of at least one case where an Indian who could have aspired to that position in the ordinary course was transferred from that office to another in order that he might not become the Head Assistant. It is to point that out that I have also included the Head Assistant in the terms of my motion. On this matter my only purpose was to call attention publicly and prominently, more prominently than if it was said outside, and not to challenge a division. Therefore with this explanation I would ask the Council's leave to withdraw it.

*The motion was, by leave of the Council, withdrawn.*

*The Council then adjourned for lunch.*

*After the recess—*

**Pandit Bhagwat Narayan Bhargava :** I beg to move a (token) reduction of Rs. 100 under sub-head "Pay of Ministers", Head of province, Executive Council and Ministers.

The object of my motion is to make certain observations regarding the policy of the Local Self-Government department in connexion with its dealings with local bodies. We know, Sir, that local bodies, whether district boards, municipal boards, town areas or notified areas, ought to have been given more and more power and responsibilities and their interests and prerogatives ought to have been safeguarded against the attacks and interference of officers and servants of the reserved half of the Government. In fact their powers and responsibilities should have been increased and not curtailed. But what we find is that instead of following a progressive policy the Government in certain cases has adopted a retrograde policy. We know that the Town Areas Act was passed some six years before the inauguration of the reforms, and in spite of these long years that have elapsed since the reforms the Town Areas Act stands there as it was before. Even, however, under the present Town Areas Act certain town areas have got elected members and a non-official majority, and I will presently bring to the notice of this Council how Government instead of increasing their powers wants to wrest the powers that are vested in them under the existing Act. The matter to which I would refer may be considered a local one, but it is no less important, because it involves a principle. No honourable member of this House will ever like that the powers that have been given to local bodies should be taken away from them by the Government. Honourable members might be remembering that on January 27, 1927, I had put certain questions about the contemplated constitution of a railway notified area. At present the area in question is a town area, named Gharia-ka-Phatak at Jhansi. This matter is not before this Council only this year, but it was before the Council even last year and the year before last. That town area at present has got an elected non-official majority. I am aware that most of the residents of that area are servants of the Great Indian Peninsula Railway. In the year 1923-24 the Commissioner of Jhansi division made a proposal to the municipal board of Jhansi that in order to improve its financial condition it should apply for the declaration of this town area to be included within the municipal area and to employ a health officer in order to improve the sanitary

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condition of that congested area. The same was practically the view of Assistant Director of Public Health. The municipal board accepted the suggestion, prepared a scheme and submitted it to the Commissioner. The Commissioner replied to the board, though not in so many words, that he would help the board in securing what they wanted in their application. The Commissioner also suggested to the board to correspond with the railway authorities about this matter. The railway authorities having got a clue about it directly wrote to the Government of India and represented their case. They wanted that the entire town area should become a railway notified area. Till then the municipal board was in the dark about the activities of the railway authorities. The Government of India entered into certain correspondence with the Local Government and the Local Government sent up their proposals to the Government of India. In the beginning the opinion of the Jhansi municipal board was invited by the Government, but till now the municipal board is entirely in the dark about the activities leading to any decision both of the Government and the railway authorities. In the beginning the town area passed a resolution by a majority that this area should be included within the municipal area. They sent their resolution and also a memorial to the Local Government, but as was admitted by the Hon'ble Minister in answer to a question of mine, that memorial and the application were returned in order to be sent through proper channel. So the application and the memorial were sent back. The members of the town area presented it to the town magistrate to be sent up to the Government through proper channel, but it was withheld by the local authorities. He himself went to the town area, got certain members assembled there and had a resolution passed by a majority of those members to the effect that the area should be constituted into a railway notified area. The honourable members will thus see that the original resolution and the memorial which were sent here and which were returned were withheld by the local authorities but that resolution which went against the interest of the town area was soon forwarded to the Government. When other members became aware of this move of the local authorities, they assembled and passed unanimously a resolution in favour of their inclusion within the municipal area. They handed over a copy of the last resolution to me which I sent to the Government and which has been acknowledged by the Government. Another copy was presented to the joint magistrate for being sent to the Government through the proper channel. That resolution which was meant to be sent through proper channel was also withheld as the Hon'ble Minister for Local Self-Government said in answer to a question of mine that he has not received the resolution or the memorial sent through proper channel. So this is the situation. The local authorities have been trying that that town area should not be included within the municipal area, but that it should be handed over to the railway authorities.

Now, Sir, it will be found from the circumstances which I have related that it was the Commissioner and the Assistant Director of Public Health who invited the municipal board to take this action. The reasons given by the Hon'ble Minister as to why this area should

be constituted into a railway area in answer to my question, put to him on January 27, 1927 were as follows :—

“The position has changed since 1924. Very considerable developments are in progress at the railway headquarters at Jhansi and will affect a large area, of which Garhia-ka-Phatak is only a small part.”

When supplementary questions were put by Mr. Chintamani, he had impliedly to admit that it was only his presumption that a very large number of railway employees were going to be posted in that area, because he had not himself received a communication from the Government of India about that. Even supposing that the railway authorities will be affected by the inclusion of this area in the municipal area, I submit that in no other place in the province is there any area which is administered wholly and solely by the railway authorities as was admitted by the Government in an answer given by the Government last year. Even in Jhansi railway servants live in a large number in the very heart of the city; they live in the civil lines; they live in railway quarters, which are also under the control and administration of the municipal board of Jhansi. So simply to say that because a large number of railway servants live in a particular area, therefore it must be constituted into a separate notified area is not a reason at all. If that ground were accepted, the whole of Jhansi municipality ought to be converted into a railway area because in various parts thousands of workmen live in the heart of the city. Then, Sir, if the railway notified area as proposed by Government is constituted, it will wrest from the present town area the non-official elected majority which they at present have. Government wants to constitute the area on the lines of the Cantonment board, where 50 per cent. of the members are elected, 50 per cent. are official and the president is an official, so the majority will be of officials and not of non-officials. This was the step which I characterized as a retrograde one, because under the present Act, which we do not regard as satisfactory and which was passed some thirteen years ago, they have an elected non-official majority. That privilege of the residents of that area is being taken away by Government by this proposal. Then if this area is to be given over to the railway authorities, what will be the condition of those residents of that area. They are railway servants, and they will not have the courage to criticize the action of their officers who will be at their head in this newly constituted notified area. Moreover, railway servants are whole time servants of the railway; they can have no time to look after sanitation, education, finances, taxation, and so on and so forth connected with the notified area. In this way the people of that area, will suffer greatly. Even if it is not included in the municipal area the residents of the town area must have in that constituted body a non-official majority and also an elected majority, and the president must be an elected one. In this way honourable members will see that it is not simply the question of a particular area of Jhansi, it involves a question of principle and policy. If today with the recommendation of the railway authorities or with the pressure of the Government of India the Local Government is prepared to take away the powers vested in a local body, tomorrow they may take away powers of other local bodies in United Provinces with the recommendation of some superior authority or some other persons whose interest may be viewed by

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Government with greater sympathy than those of the poor men residing in that area. So my submission is that even if the Government of India has compelled the Government to accept those proposals, Government can easily say well the constitution of that town area, the administration of the local body is in our hands, and we cannot accept your retrograde proposals. The Ministers are responsible to the people; they are responsible to the elected members of this House; and therefore they ought to have a greater regard for the interests of the people than for the recommendations of any superior or higher authority.

**Mr. Zahur Ahmad :** I had no intention to speak on this motion of my learned friend the member for Jhansi, but no sooner I heard him referring to Garhia-ka-Phatak affair, the whole thing which I had learnt from gentlemen knowing about it came before my eyes and I thought that I would not be doing justice either to the House or to myself if I did not bring the facts before this House. I was told by reliable persons, by persons who were in possession of facts and figures, that Garhia-ka-Phatak was a town area. Allied to that there was a railway settlement which paid Rs. 2,000 to the municipality without getting any service from them; and such being the case, they tried that the railway settlement and Garhia-ka-Phatak should be amalgamated, with the result that the Garhia-ka-Phatak members themselves passed a resolution, almost a unanimous resolution, that they wanted to be amalgamated with the railway settlement and be formed into a notified area. That resolution was sent to Government, and after the receipt of this desire by the elected members of that town area the Government, I was informed, sent the proposal to the Government of India. Long after this some enthusiasts of the Jhansi municipality having learnt of the proposal—as my learned friend admitted that they had been in the dark about it—persuaded the members of Garhia-ka-Phatak to go back on their previous decision, with the result that some sort of a memorial was placed before them for their thumb-impression and signature on it, and then this was submitted to the Government. I was told that the memorial was returned to them because that memorial bore only one man's signature, i.e., something like "Gajadhar Prasad and others". Again they sent the other memorial with proper thumb-impressions and signatures on it and that reached long after the recommendation had been sent to the Government of India. I submit, therefore, that though I am one with my friend that the Ministers should look after and guard the interests and privileges of the notified areas and municipalities and protect them from being encroached by others—particularly by the Minister for Local Self-Government. Yet I feel that the Minister is helpless in face of a desire of any local body to be amalgamated with a certain other area which may be in their interest. The test is what do the members of that area want for their benefit? Now, Sir, in view of the fact that Garhia-ka-Phatak members themselves wanted to be amalgamated with the railway settlement and to form a small notified area in which their interests would be better safeguarded, how the Minister could in fairness and justice to their cause ignore their desire which they considered to be in their interest; and if the municipality of Jhansi did not get a chance to be heard, it was because they did not represent matters in time and it did not concern them primarily and also because the members of the area concerned had decided what they wanted for themselves.



In view of these facts I submit that if the panches of Garhia Phatak desired that they should be amalgamated with the railway settlement, and they sent their desire to the Government and the Government sent it to the Government of India, I feel that it is rather too late and unfair now to make any complaint of this sort on the floor of the House. I think that it is the duty of the Ministers to safeguard the interests of the town areas and local bodies, but if this Garhia Phatak question is to be taken as a basis, I regret to say that the contention of my learned friend loses a great deal of its force. In view of these facts I think, Sir, that the motion of my honourable friend in the form it is moved should be rejected.

**Raja Kushal Pal Singh:** I rise to oppose the motion. The facts of the case have been so much and so well stated by the honourable member for Allatabad that very little is left for me to add. The honourable mover of the motion has lost sight of the obvious fact that the inclusion of the town area of Garhia Pathak in the proposed notified area is manifestly to the advantage of the people of that locality. The people of that locality will get water and light free. They will have drainage. They will enjoy all the amenities of life. It is a matter of common knowledge that our illustrious Minister for Local Self-Government has done his best to promote the civic advance of our provinces. He has allowed the municipalities of Mussoorie and Almora the right to choose non-official chairmen. He has liberalized the constitution of the Naini Tal municipality by considerably increasing the number of elected members. To me it seems inconceivable that the Hon'ble Minister will take any step that is retrograde.

**Khan Bahadur Mr. Masud-ul-Hasan:** The question involved in this cut is rather a difficult one. The mover has suggested, though not in so many words, that the Hon'ble Minister for Local Self-Government has followed a policy which is unconstitutional. Is the Minister to follow the advice of a local body in a matter like this or is he to follow the advice of those who are not the representatives of the people of a certain locality. In this case, the Minister after taking into consideration the views of the representatives of the local body which was going to be affected by the amalgamation with the municipality of Jhansi or by the formation of a notified area with the railway settlement, decided that it should be made a notified area including the railway settlement. My honourable friend the member for Jhansi says that it was due to the influence of a certain joint magistrate who got the resolution passed by the panches that they accepted the formation of notified area. I must say that if the panches are so weak and if they cannot reflect the views of the people it would be hundred times better that they should be given a training with such members who cannot be influenced by the opinion of the joint magistrate, I mean the representatives of the railway colony. In a case like this when the members of a certain body after passing a considered resolution at one moment take a somersault and pass another resolution on that very subject, the Minister will have to consider the question carefully and form his own opinion on the merits of the case. What are the merits of the case under discussion? We have to consider whether the railway colony and the residents of Garhia Pathak by their amalgamation with the Jhansi municipality will be benefited by the services that the municipality will render or will lose by the amalgamation. As far as the railway colony is concerned they will be the losers, like the railway colony at

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Moradabad. We are getting a very big sum from them as taxes, but we are not giving them adequate service in return. They maintain their own roads, they have their own lighting system, they have their own conservancy arrangements and so forth. I think the case of the railway settlement at Jhansi is exactly the same. The object of the municipality of Jhansi is to get the taxes of the railway settlement and to utilize them mainly for the benefit of the other parts of the municipality. I do not think that such an arrangement is quite equitable. If the Government is going to spend on the railway settlement at Jhansi (which they generally do in other cases) the Garhia Pathak area, if it is amalgamated with the railway settlement and made into a small self-governing unit will be much more benefited than by its inclusion in the municipality of Jhansi. I, therefore, think the decision of the Minister for Local Self-Government is perfectly right and equitable.

There is another question which has been raised by the honourable mover of this motion. It is whether, side by side with a municipality, you should have another self-governing institution. But he himself quoted the example of the cantonment committees. The real question that this House has to consider is whether by having a notified area or by having a cantonment committee or by having a municipal board you are going to serve the people in a satisfactory way. My bitter experience not only of one municipality but the knowledge of the working of various municipalities is quite the other way. I have learnt something of our representatives' ways and methods of working these self-governing institutions. It is all very well to talk about liberal principles, and about giving them liberal powers, but it is very difficult for them to exercise these powers efficiently and properly. If the people are not properly served or likely to be served by a municipality then certainly they are entitled to have their small unit on the principle of self-determination. If the principle of self-determination is going to be applied to a country like India why should Gharia Pathak and the railway settlement not have it if they so desire. Therefore, as far as I see the facts of the case as have been disclosed by my friends the member for Jhansi and the member for Allahabad, I think the decision that has been arrived at by the Minister of Local Self-Government is perfectly sound. I oppose the motion.

*The Hon'ble the President called on Mr. Bhargava to reply. Mr. Bhargava said that the Minister was going to speak, on which the Hon'ble the President observed that he had waited and the Hon'ble Minister had a right of speech again.]*

**Pandit Bhagwat Narayan Bhargava :** Can I speak after the Hon'ble Minister has replied?

**The Hon'ble the President :** I have already called on the honourable member to speak. If the honourable member prefers not to speak now, he will have no right of replying again after the Minister. This local matter cannot drag on for a considerable time today.

**Pandit Bhagwat Narayan Bhargava :** I am very sorry that I did not have an opportunity to hear the views of the Government on this matter. I find that the three honourable members who have spoken have opposed my motion. Mr. Zahur Ahmad, I may point out, come

from Allahabad and not from Jhansi, and cannot therefore be supposed to know better than I do in this respect. He has made an entirely wrong statement when he said that the residents themselves passed a unanimous resolution to have the area turned into a notified area. He remarked that Rs. 2,000 were realized by the Jhansi municipal board without any countervailing advantage to the railway authorities. This is also quite wrong, because the amount of Rs. 2,000 is in lieu of octroi and other taxes which the municipality could have otherwise realized from the residents of that area. Great stress has, I find, been laid upon the fact that the panches decided that the area be constituted into a separate notified area. In this connexion I wish to submit that when the Government came to a decision on the matter there were three resolutions before them. One asked for the inclusion of the area in the municipality; another, to which I referred, related to the constitution of a separate area, and the third, which was carried by the greatest majority, required that the area be incorporated in the municipal area. Moreover, two memorials were also sent to Government. My friend, Mr. Masud-ul-Hasan thought it fit to remark that if the panches were weak, they should not be allowed the right of self-determination and that they must have training first in the exercise of that right. My contention is that if the panches, as is alleged, are weak, that is in itself a further reason why an official should not be placed over their heads. The residents of that quarter are servants of the railway, and if the railway authorities are given a majority in the administration of that area, I fear the residents are bound to suffer. Then, Sir, nobody has answered why the non-official elected majority, which the residents enjoyed up till now, should have been taken away from them. If the Government want to turn the area into a separate notified area, let them do so; but in the name of progressive policy of local self-Government let, at any rate, the residents have the privilege of having, as heretofore, a non-official elected majority in the administration of that area and let them elect their own chairman.

**The Hon'ble Nawab Muhammad Yusuf:** I should like at the outset to place the facts of the case before the Council. In 1924 the municipality was really keen on incorporating this town area, obviously because it wanted to have funds for water-supply. The Commissioner, who himself was in sympathy with the scheme for water supply, suggested that if the town area were incorporated in the municipality, it would be to the interest of the latter. The Council will observe that this was only a suggestion, and not a definite recommendation, and that it was made without reference to the circumstances which developed later on. Now in 1925 the railway authorities made proposals for turning this Garhia Pathak town area along with the railway area into a notified area. The Commissioner was not in possession of this fact in 1924. It is also perfectly clear that these later developments were not known to the Garhia Pathak people either. Here I may point out that when in 1924 they came to know that the municipality was thinking of absorbing this town area they passed a resolution to the effect that the inhabitants of Garhia Pathak were alarmed at the suggestion that this town area should be merged into the municipality. That was the very first resolution when this proposal emanated from the municipality. Later, somehow or other some of the members of this town area changed their mind and decided at a meeting by two votes to one for being absorbed into the

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municipality. That is to say, two were in favour of this town area being merged into the municipality and one was for its incorporation with the railway area. Subsequently they voted for this town area being incorporated into a new notified area. This was done by three votes to one. That is how the matter stood when I gave serious consideration to this case. Bearing in mind that the people of the town area were of opinion that they should be incorporated into the new railway town area I agreed to the proposal that the two areas might be turned into a notified area. The House will, therefore, see that the action taken by me was in accordance with the wishes of the people really concerned.

Let us now look at this question from another point of view. The clear issue before us is whether it would be to the interest of the town area people to be incorporated into the new notified area or whether it would be to their interest to be absorbed into the municipality. It is perfectly clear that the railway authorities were going to give them water-supply, lights, roads, drainage—in fact everything—at a comparatively much less expense than the municipality could possibly afford to do. In fact as the matters stand at present, the municipality is itself in difficulty about its own schemes and it cannot really tackle the sanitary problems of the Gharia Phatak town area. I should now like to turn to certain points made by my honourable friend Pandit Bhagwat Narayan Bhargava. He says that I have taken a retrograde step. I put it to the House what other course was open to me, bearing in mind the peculiar circumstances of the case, viz., that a certain town area by an overwhelming majority wanted to be incorporated into a certain notified area. I am sorry that my friend has raised this local question by making this cut. I wish he had chosen another opportunity to do so. However, I may say that if the honourable member thinks that the municipality is an aggrieved party in any way; I am perfectly willing to consider this question. I understand that the municipality would probably be losing about Rs. 2,000 a year which the railway gave to it by way of compensation. I may add that not a single penny was spent by the municipality for the benefit of the railway area, that is to say, neither it supplied water nor looked after the roads nor served any other needs of the area. The railway did all this. That is how the matter stands at present. I have already pointed out that I do not want to be unfair to the municipality, and I shall be ready to consider the question of the loss of Rs. 2,000.

**The Hon'ble the President:** Before I put this motion to the House, I feel I must explain why I called on the honourable mover before the Hon'ble Minister for Local Self-Government had spoken. Honourable members will bear me out that I waited for a few minutes to see whether any honourable member would get up, but apparently there was a desire on their part to play a waiting game. Meanwhile the sands of time were running down, and as we are hard pressed for time, I thought that as this matter could be eventually threshed out further by means of a resolution, and as the Hon'ble Minister, thinking his case to be either very strong or very weak did not get up, I called on the honourable mover. I hope the honourable members will not take me to task for that.

*The motion was put and negatived.*

**Pandit Iqbal Narayan Gurtu:** I beg to move a (token) reduction of Rs. 10 under sub-head "Pay of members of Executive Councils and Ministers." The object of this proposal is to bring before the Council one or two constitutional aspects of the relations between two halves of the Government in these Provinces, and to draw the attention of the Government also to certain serious constitutional improprieties.

This is the third Council after the reforms. The period of the second Council is just over. I take it that the time has come when the Local Government will either on its own initiative or at the request of the Government of India review the work of the preceding Council. The sins of commission and omission of the preceding Council will be reviewed. But along with that there will be a triennial examination of the Ministers. This is, Sir, a new examination started since the reforms. The result of that examination will be announced, as usual, later. The Board of Examiners that has been appointed to examine the work of the Ministers is the Governor in Council, and the Registrar of this Board of Examiners is, of course, the Chief Secretary. A striking difference between the usual system of examinations to which we have been hitherto accustomed is, that in school and college examinations the names of successful candidates appear in the gazette. Here, on the contrary, the names of such Ministers as may have proved a failure are mentioned. Often only their misconduct is recorded and their misdeeds are noted in the Black book. As an illustration of what I have stated, I may refer to a letter of the United Provinces Government sent on August 22, 1923, to the Government of India where the actions and the policy of one of the Ministers was clearly criticized, and of course in a way condemned. I would draw the attention of the honourable members of the House to a paragraph appearing in the letter which reads thus:—

"The late Minister's policy (referring to Pandit Jagat Narayan) amounted to avoiding official interference with local bodies as far as possible. . . . ."

I am afraid my honourable friend the present Minister is following in the footsteps of the late Minister because he has also in the debate that has just preceded my motion proved himself guilty of the same charge. It is further stated in the letter:—

"He rejected proposals made by Commissioners for the supersession of two large municipalities which it is probable, though not certain, that pre-Reform Government might have accepted. He inclined to sympathize with local bodies when they came in conflict with officialdom over questions of audit or public health. He wavered between a desire to see local bodies competently run and a reluctance to apply pressure to them. It is likely that a stronger attitude on his part would have stimulated the growth of extremism in the towns." Then the letter proceeds to say:—"The late Minister also accepted a Bill put forward by one of his supporters for reducing the municipal franchise. Of its effect it is too soon to speak." So, Sir, here is a clear verdict of the Government, a public censure or one of its, at one time, trusted Ministers who I am afraid made the mistake of co-operating with the Government at a time when that co-operation was sorely needed.

Then, Sir, in the second letter also, dated July 3, 1924, a similar policy was adopted and there the other Minister came in for his share. It is a

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matter of common knowledge that before the first letter was sent to Simla the departmental Secretaries who worked under the first Ministers were also asked to send their opinion about the work of these Ministers. Sir, it seems to me it is a matter which is really very serious. To ask the Secretary of a department to pass his verdict on his chief and to send it on to another superior authority, cuts at the very root of discipline. Sir, whatever may be the faults of the Indian Civil Service, there was one tradition for which they have always been honoured and that is the tradition of discipline. If, Sir, the Government itself encourages indiscipline it is really demoralizing the service which has worked so loyally till now. It is intolerable that Secretaries should be asked to pass a verdict on the actions of their superiors. I do not know what verdicts have been passed. I do not know what my friend the Education Secretary, who looks very agitated and has begun shaking his head, has actually said about the Minister under whom he had worked. There is a saying of Christ, which we should all honour: "Do unto others as you wish to be done by." I put it to the Hon'ble the Finance Member, that if his Financial Secretary were asked to express his own opinion about the honourable member's actions and his policy, would he have liked it if Mr. Blunt had bluntly expressed his honest opinion about him.

Another objection that I have to this letter is that the judgement was passed on the Ministers and their work by the Governor in Council. I can very well understand His Excellency the Governor expressing his individual opinion about his Ministers who were his colleagues. But here we find the Governor in Council expressing an opinion on the action and the policy of the Ministers. It is really setting one portion of Government against another. It is giving preference to one set of colleagues over another. It is true it is in keeping with the time honoured policy of the Government of "Divide and Rule". Government perhaps finds that the best way of perpetuating that policy with still greater vigour is to divide and rule in the Cabinet itself. There is another anomaly which will soon happen in the case of this Government. My honourable friend, the Home Member, was at one time a member of the depressed class in the Cabinet, viz., a Minister himself. Now, as a member of the Executive Council of the Governor, he will be required to express his opinion about his colleagues, and, what is most interesting, about himself. I know the Home Member, he is very modest by nature. When in the near future, as a part of the Governor in Council, he will be asked to express his opinion about his colleagues the present ministers, I do not quite know what he is likely to say, but my great fear is that through excess of modesty he will condemn himself out of his own mouth.

Sir, the Finance Member will naturally resent the charge I have brought against the Government of the policy of "Divide and Rule". Probably it will be said that they are an absolutely harmonious and united body whose hearts beat in perfect rhythm and harmony. I do not see how there can be real trust and harmony, under the circumstances, between the two halves of the Government Transferred and Reserved; but perhaps there is genuine affection and mutual admiration between the two members of the Executive Council. Here, Sir, I am reminded of a story about St. Simon. He was the founder of a school of socialism and he proffered himself in marriage to a lady Madam de Stael, and he said:—"Madam, you are the most extraordinary woman

in the world ; I am the most extraordinary man. Between us, we should no doubt, make a child more extraordinary still". Sir, I do not propose to press the analogy any further, but any how, the child that has been produced is this wonderful letter.

Let us see how other Governments dealt with the same matter. In the Punjab we find that a proper course was adopted. The matter was discussed between the Ministers and the members of the Executive Council. In certain matters of course, I take it, there was unanimity of opinion. In other matters, no wonder, there was a difference of opinion, and the Punjab Government in its note clearly expresses it and they quote the opinion of the Minister where he differed from the other members of the Government. I need not worry the Council by reading out those extracts. Then in the Central Provinces also, a similar procedure was followed. Not only that. The Central Provinces Government went the length of showing the courtesy of inviting the late Ministers also to express their opinion on such an important question. In the concluding paragraph of their letter the Central Provinces Government say :—"Before submitting his reply on this important reference, the Governor in Council considered it desirable to consult the two gentlemen who served as Ministers throughout the life of the first Council—Mr. S. M. Chitanavis and Rao Bahadur N. K. Kelkar. The memorandum is printed as Annexure B to this letter. Some of the points raised by the late Minister are dealt with in this letter while others are outside the scope of the reference....."

**The Hon'ble Sir Sam O'Donnell :** Will the honourable member let me see the letter ? I have not got a copy here.

**Pandit Iqbal Narayan Gurtu :** The letter that I am quoting is the letter that was sent to the Government of India in connexion with the Muddiman Inquiry Committee. Here the Central Provinces Government went the length of consulting the Ministers who were not members of the Government then. How could we expect from our Government, when it did not even show sufficient courtesy to its then Ministers, how could we expect them to show any courtesy to those who were its first Ministers by inviting them to express their opinion on an important matter like this ? Sir, the Burma Government went many steps further. We know that His Excellency Sir Harcourt Butler has always been very particular about constitutional propriety, and when he was asked to express his opinion let us see what he did. The Burma Government letter says : "On receipt of your letter, the Ministers in charge of the transferred subjects were asked to record their views, and I am to enclose a copy of a joint note by.....Subsequently, on receipt of intimation from the Government of India that your letter under reply need no longer be treated as confidential, an informal conference was held in Rangoon on the 7th June, 1924, to discuss the subject matter of your letter. This Conference, over which the Hon'ble Finance Member presided, was attended by the two Ministers, by nine representative members of the Legislative Council and by a Burman gentleman who, although not a member of the Legislative Council, plays a prominent part in the councils of the Nationalist party...". Sir, the Burma Government went the length of inviting not only the previous Ministers, but of inviting non-official members of the Council to a certain conference. It also invited one or two others who were not even members of the

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Council. And here is our Government who did not show even ordinary courtesy to their own Ministers and did not condescend to discuss such an important question with them before sending their letter. I know what the reply of the Government will be. I may at least anticipate it partially. They will say we "consulted the Ministers." I maintain that the Government did not discuss the question in the way in which other Governments had discussed it, and I would refer to the language used by the Government in their own letter which they sent in connexion with the Muddiman Committee, on July 3, 1924. They say:—"as it was clearly desirable that Ministers too should be consulted, they were given an opportunity of recording their views, which, will be found among the appendices to this letter. Ministers desire that it should be made clear that their views were formulated (honourable members will please mark the language) before seeing and without reference to my letter." Now that clearly shows, if language can show anything and express anything, instead of concealing things, it clearly shows that the Ministers were never asked to meet and discuss the letter which was sent; that the letter had gone out without their knowledge. What they were asked to do was to send their opinion. That was all the so-called consultation. They were merely asked to send their opinions, and, reading carefully between the lines, it seems that the Ministers resented it and wanted that something should be stated in the letter to show that they were not responsible for that letter. Therefore, I think it was added that the "Ministers desire that it should be made clear that their views were formulated before seeing and without reference" to the letter.

I hope I have clearly shown the Council in what spirit this question was approached, what treatment was meted out to the Hon'ble Ministers. I know this House is very keen on the question of the status and position of the Ministers. Just when a previous motion was being discussed by the Council, we saw clearly signs of anxiety to defend and protect certain Ministers. Here our own Government have publicly treated their trusted colleagues in this manner. Is it a thing which we should allow any more? Should we not ask our Government, now that the time has come for them to review the work of the Ministers, that they should take them more into their confidence, discuss freely all matters with them and that in future their despatches on such important questions should also reflect their opinion just as much as the opinion of the other half of the Government. I hope I am expressing the unanimous sense of this House when I say that we want His Excellency the Governor to treat both sides of the Government equally, and that no injustice should be done to the Ministers who have been doing their work under most difficult circumstances.

**The Hon'ble Sir Sam O'Donnell:** I think this is the most extraordinary motion that has ever in my experience been debated in this legislature. When a reduction is moved in connexion with the salaries of Ministers that is taken to mean that the member disapproves of some act or policy on the part of Ministers. It appears however the honourable mover of this motion has no complaint to make against the present Ministers although he proposes to reduce their salaries.



**Pandit Iqbal Narayan Gurtu:** I would have very much liked to reduce your salary, but I cannot.

**The Hon'ble Sir Sam O'Donnell:** That is no reason for reducing the salary of the Ministers. If the honourable member cannot reduce my salary, that is not a good argument for reducing the salary of the Ministers. On this occasion it appears that he has no complaint whatever against the present Ministers in respect of any single act or policy on their part. He complains of a letter issued three years ago by the Governor in Council.

**Pandit Iqbal Narayan Gurtu:** My object is to know what you are going to do now.

**The Hon'ble Sir Sam O'Donnell:** On what occasion?

**Pandit Iqbal Narayan Gurtu:** In connexion with the review of the Council's work.

**The Hon'ble Sir Sam O'Donnell:** I have no information on that point. All that I can say is that it is the most extraordinary motion which I have ever seen put forward and debated in this Council. It was three years ago that the Governor in Council sent the letter in reply to a reference from the Government of India. Three years have passed and no attempt was ever made to raise any question on that matter. Three years later it has suddenly occurred to the honourable member that he ought to raise a question and that the way to do so was to move a reduction in the salary of the present Ministers! As regards the letter, I have no apology whatever to make. We were asked our opinion, like other Governments, on certain matters by the Government of India and we gave our opinion. Ministers were also consulted and they were given an opportunity of expressing their opinions and the opinions of Ministers were forwarded. It is perfectly true that their opinions, as expressly stated in the letter, were formulated without reference to our letter. What is there in that to complain of? They had a perfectly free hand in the matter. It was open to them to express any views which they wished to do and they did so. They gave their views and we gave our views. The letter has been published; our opinions have been published; their opinions have been published. There was an inquiry, and those who were interested had an opportunity of expressing their views, as the honourable member from Partabgarh did at a considerable length, and the public had an opportunity of expressing their views. What is there of unfairness to the Ministers?

**Pandit Iqbal Narayan Gurtu:** The Hon'ble the Finance Member gets up with an air of injured innocence and says: "How are we to blame? We were asked to express our opinion and we expressed it." But I would request the Hon'ble the Finance Member to read carefully the last paragraph of the letter of the Government of India asking them to send an opinion of the Government. The words "of the Government" are important, and the only thing that is mentioned there is that the letter is to be forwarded with the "permission" of the Governor in Council." Now, forwarding a letter with the permission of the Governor in Council is something quite different from the sending of a letter by the Governor in Council quite independently of the other colleagues.

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The Hon'ble the Finance Member wishes the Council to accept his assurance that the Ministers were consulted and that there was a discussion with them.

The Hon'ble Sir Sam O'Donnell : I never said that there was a discussion.

**Pandit Iqbal Narayan Gurtu :** I am glad that the Hon'ble the Finance Member admits this much that he had absolutely no discussion with the Ministers. We now authoritatively know that they were kept entirely at arm's length and that all that the Ministers were required to do was to send their own opinion which through the post office was forwarded. That is the courtesy shown by the Government to the Ministers. Well, this is exactly my complaint. What I say is that in important matters like this where the work of the Ministers, the Council, the whole Government and its constitution was to be reviewed, where in fact in one letter one of the Ministers has been practically condemned and a verdict passed against him, there should have been a joint discussion before the despatches were sent to the Government of India. That is exactly my complaint, and I am glad that the Hon'ble the Finance Member has admitted that there was nothing done in the matter beyond asking them to submit their own minutes. So, Sir, I am thankful to the Hon'ble the Finance Member for having strengthened my case, and my whole object in bringing this motion before the House is, not that I want to rake up an old controversy, interesting as it is, but to draw lessons from the event that has happened in the past and to see that the same mistake is not repeated when the time comes again. It is quite possible that tomorrow the Government may be asked to send its opinion; it is quite possible that we may have the Statutory Commission coming sooner than 1929 and the Local Government may be required to send its own opinion about important matters. What I am anxious about is that on important constitutional matters on which the country has set its heart and has, so to say, given a mandate to every one of us who have been elected, we should see that decisions are arrived at in favour of the Indians and in favour of the Ministers. I say we are pledged to our constituencies to see that the Local Government does not show that scant courtesy to its colleagues which it has done in the past.

**Mr. Zahur Ahmad :** May I know from Mr. Gurtu what fault have the present Ministers done that their salary is being reduced?

**Pandit Iqbal Narayan Gurtu :** Whose salary should I reduce? I cannot cut the salary of the reserved half of the Government.

**Mr. Zahur Ahmad :** The Hon'ble the Finance Member also referred to the point made by me and I want a reply from you.

**Pandit Iqbal Narayan Gurtu :** I told the Hon'ble the Finance Member that I would have been glad to cut his salary, but I cannot.

**Mr. Zahur Ahmad :** What fault have the present Ministers done that you are proposing a cut in their salary?

**Pandit Iqbal Narayan Gurtu :** Are we to discuss such a thing in this way across the floor of the House?

**The Hon'ble Sir Sam O'Donnell :** I have only this much to add that the Government, as every one knows, is not a unitary Government; there are two halves of the Government: there is the Governor in Council and there is the Governor acting with his Ministers, and that is why separate replies were sent. The Ministers were given an opportunity of expressing their views on all the points with which we dealt. They had a perfectly free hand in the matter. We also had a free hand in the matter. We formulated our views; they formulated their views; what is there unfair in that?

Lastly, I wish to say that the views which were expressed in the letter on behalf of the Governor in Council were the views of the Governor in Council and not the views of secretaries. I am not aware that any secretary has ever been asked for his opinion regarding the Ministers.

**Pandit Iqbal Narayan Gurtu :** My real object is not . . .

**The Hon'ble the President :** The honourable member is making a speech.

**Pandit Iqbal Narayan Gurtu :** I only want to give reasons.

**The Hon'ble the President :** Reasons cannot be given at this stage. The honourable member had better withdraw his motion if he wants to.

**Pandit Iqbal Narayan Gurtu :** I beg leave to withdraw.

*The motion was by leave of the Council withdrawn.*

**Mr. C. Y. Chintamani :** I beg to move a token reduction of Rs. 100 under the entire sub-head "Head of Province, Executive Council and Ministers."

My object in making this motion is to say a few words on the policy of the Governor in Council. In another place during the last few years they have fixed upon one budget head "travelling allowances of members of the Executive Council" on which to discuss the general policy of the Government. I would have liked to have done the same thing here, but found that there was no separate item of travelling allowances of members of the Government. The head "travelling allowances" that we find here is that of the head of the province alone. I believe whatever money is spent upon travelling by members of the Government comes out of what is provided under the head Secretariat. This explains why this motion had to be cast in this form. Well, Sir, my object is to give expression to the dissatisfaction that we feel at the policy of the Governor in Council. That policy is one not of responsive co-operation (if I may use one of the phrases that are current at the present time in the country) but quite the opposite of it. What the Council, reflecting the opinion of those who have sent the majority of members here wants has been indicated times out of number in the form of resolutions and other motions in this Council. In the various ways open to public men their opinions as to the policy which they wish the Governor in Council to adopt have been made unmistakably clear. Now what has been the response from the Government?

During the last six years the Council has been urging that there should be no delay in the separation of judicial from executive functions,

[Mr. C. Y. Chintamani.]

We shall be told that the responsibility for the delay does not rest upon the shoulders of the local Government, it really resides in the Government of India. But, as indicated in a supplementary question which I took the liberty of putting to the Hon'ble the Home Member in January, our feeling is that the Governor in Council himself—I am not referring to any individual member thereof—is not particularly keen that this reform should be introduced at an early date. I do not make this statement at random. In one of the speeches in defence of the Government which the Hon'ble the Finance Member made last year or the year before (I forget the exact date) he pointed out that the Government of India were still considering the matter and he added, significantly enough, that as it was a matter affecting the whole of India, naturally the decision should not be hurried.

*Here the Deputy President took the Chair.* It has been pointed out to the local Government that there was a statement made in the Legislative Assembly by the then Home Member Sir William Vincent—that statement was made at a time when our present Finance Member was Home Secretary in the Government of India—that while the Government of India themselves would not compel a local Government to take action, while they would not move in the matter at their own instance, they would give facilities to any local Government which might wish to introduce this reform to do so. Legislation that might have to be carried through the Legislature at Delhi would be put through in the case of any local Government wishing to introduce this reform. It was not stated that all local Governments must go before the Government of India, that the case of all provinces would be considered together, or that their schemes should be identical or similar in nature. Now here in 1921 the local Government definitely committed themselves, in language not merely of clearness but of emphasis, to the view that they would introduce the reform and that they were going to set up a committee only to put forward a scheme. It was a committee of which the present Home Member was a member. That scheme was put forward in the year 1921. In the January session of the Council we made this small request to the Government that they might address the Government of India in order to impress upon them the keenness of feeling of the Legislative Council here that there should be no further delay in the matter. The Home Member was not willing even to comply with that request. He said: "They know it all; we addressed them lately; why should we again address them?" My last word on this particular subject is that there is no keenness on the part of the Governor in Council corresponding to the emphasis and clearness of their statement of 1921 to introduce this reform in these provinces with as much expedition as possible. When the Hon'ble the Finance Member said it was natural in a question affecting the whole of India, that time should be taken, he gave insufficient consideration to the circumstance that this question has been to the fore at least for half a century, that on this question a statement about which there was all the look of finality was made by the Home Member of the Government of India as long ago as 1908. At the time the Finance Member himself came to this country as a member of the Indian Civil Service, by that time this question was nearly a generation old. It all this time has

not been enough for a decision to be taken to permit the local Government to introduce this administrative reform, well, Sir, reform is slow-footed indeed. I wish there were equal deliberation on the part of the Governor General in Council and the Governors in Council with regard to measures to deprive the people of their liberty.

The next question I would mention to illustrate my proposition relates to Commissioners. I only mention it here without prejudice to my liberty to make a motion under that head when the time comes. In 1921 the Council showed its keenness upon the matter. A committee was set up. That committee included three members of the Indian Civil Service. The committee made recommendations that the number of commissioners should be reduced from ten to five. And what is now stated by Government? An attempt is made to show that the committee's recommendation was really half-hearted, that a careful perusal of the language of the report showed that they themselves reluctantly and hesitatingly made that recommendation and were not free from doubt. Up to this moment no single step has been taken by the Governor in Council to move in the direction desired by the Council. Not only that: with the freedom characteristic of them they have gone on appointing additional commissioners, a settlement commissioner and such other posts. They do not move in the direction we desire. If they were free to do so they would very probably move in the opposite direction.

During the last six years several attempts have been made by the Council to induce the Governor in Council to constitute what have come to be known as district advisory committees to be available to district officers for consultation. This proposal, that there should be these committees, is again a venerable proposal. It was first made by Mr. Ranade, it was next taken up by Mr. Gokhale before the Decentralization Commission. When it was put forward in this Council in 1921 the Governor in Council (1921, or 1922 probably) made a statement by way of compromise, through the mouth of the acting Finance Member Sir Selwyn Fremantle. There was expectation that action would be taken in consonance with the statement made by the Finance Member. Nearly five years have elapsed, and where do we stand? The Government do not want to do it. They have watered down the statement made then on their behalf and have given unmistakable proof of their absolute disinclination to take any step in that direction.

Plenty of other matters were brought up here, now in the form of resolutions, now in the form of questions, and sometimes in the form of Budget motions, there has been such an abundance of them and the attitude of the Government is found to be more often discouraging and depressing than heartening. The attitude of authority, of which the concrete representative is the Governor in Council, is indicated very clearly in a passage from the proceedings of the Islington Commission which is quoted in this pamphlet by my friend Pandit Hirday Nath Kunzru:—

"Q. 44110.—The district magistrate is in a better position to deal with these cases (under section 110) than any other judicial official?

A.—I think the judicial officer who is accustomed to decide these things in the light of strict legal evidence would tend to take a too

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ultra-legal view." This answer deserves to be read once more so that it may fix itself on the minds of honourable members.

A.—I think the judicial officer who is accustomed to decide these things in the light of strict legal evidence would tend to take a too ultra-legal view."

Q. 44116.—You do not want the rule of law to progress any further?

A.—I think it is going on faster than is good for the country. I think the rule of law under the law courts in the long run is the rule of the long purse."

Only one more quotation—

Q. 44117.—You would try to restrict the progress of the law as much as possible?

A.—No, I do not go so far as that. I think there is an inevitable tendency to progress from the old primitive days of personal authority into a period of rule by law and order, but I am concerned at the rate at which it is progressing in this country. I am concerned at the rate at which the effective power is passing into the hands of the courts and the lawyer."

This comes from a most eminent and distinguished exponent of the necessity of the maintenance of law and order. I have quoted this from the evidence of—I will read the words exactly as they occur in this pamphlet, from the cross-examination of Mr. Marris, Inspector-General of Police in the United Provinces, by Mr. Justice Abdur Rahim. The attitude of Government towards public opinion is the attitude of non-co-operation. The Hon'ble the Home Member, an Indian and in his non-official days in this Council an exponent of many excellent and progressive opinions, some of which I am going to remind him of in the coming days, sometimes descends from the giddy heights of non-co-operation to the policy of obstruction. But the Hon'ble the Finance Member is a no-changer of the genuine variety, such as would delight the heart of the Mahatma himself. My motion is intended to express, as I said in the beginning, our dissatisfaction at the attitude of Government towards public opinion as expressed in this Council and outside. I have given just a few illustrations, as it would take much time if I were to multiply them by citing all the illustrations which I have got here. I trust that the Legislative Council by giving its assent to this proposition will indicate what it feels about this attitude of the Governor in Council.

**The Deputy President :** There is a similar motion in the name of Rai Bahadur Mathura Prasad Mehrotra. Does he desire to move it now?

**Rai Bahadur Lala Mathura Prasad Mehrotra :** It deals with other matters. I would like to move it later on.

**The Deputy President :** If you want you may move it now.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** All right, Sir.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I beg to move a (token) reduction of Rs. 7 under the entire sub-head "Head of the Province, Executive Council and Ministers." By moving this token reduction I want to bring to the notice of the Government two

very important matters for their cool consideration and representation to the Government of India and the Statutory Commission when it comes in 1929 or earlier. The first point on which I wish to emphasize is about the injustice that has been done to the Lucknow University by not giving it a representation in this Council. We have here the representative of the Allahabad University and we perfectly know the calibre and the ability of the representative of that enlightened body. Here is my friend Mr. Gurtu who represents the Allahabad University. I want that another Gurtu should come from the Lucknow University.

**The Deputy President :** Why not a Mehrotra ?

**Rai Bahadur Lala Mathura Prasad Mehrotra :** The Lucknow University was created after the report of the Calcutta University Commission and two other universities were also created with it, I mean the universities at Dacca and Nagpur. The one was established in April, 1920, and the other in 1923. Both these universities have their representative in their local Councils. But the university of Lucknow is not represented yet. I brought a resolution before this House, but owing to the tactics of the Government Whip the quorum was broken and the resolution remained unfinished and consequently we could not hear the views of the Government on this point. I have brought this matter again to the notice of the Government today to hear their views. I am aware of section 84A of the Government of India Act which the Hon'ble Finance Member will quote. But I want to know what his views are. Whether the Government want that the Lucknow University should be represented on this Council or not.

The second point which I want to bring to the notice of the Government is about the extension of the term of the Council. The term of the Council at present is for three years. I want the Government of our provinces to recommend that it should be extended to five years. We know that the tenure of the head of the province is for five years. The tenure of the members of the Executive Council is also for five years. Why should there not be the same period of tenure for the Ministers in the transferred departments ? I make bold to say that it should certainly be so. But this cannot be unless the life of the Council is also extended to the same period, because the Ministers will be elected members and their tenure rests upon the life-time of the Council. I hope the Hon'ble Finance Member will consider these two points sympathetically.

**Pandit Brijnandan Prasad Misra :** There is a Sanskrit *shlok*—

“सुलभाः पुरुषा राजन् सततं प्रियवादिनः ।

अप्रियस्य च पथ्यस्य वक्ता श्रोता च दुर्लभाः ॥

the purport of which is that there are very many persons who can speak sweet and pleasant things, but that there are very few who can speak unpleasant truths or who are prepared to bear them spoken. I am one of those persons who have been addicted to speaking unpleasant truths whenever an opportunity has presented itself to me. The present is one of these very few opportunities which turn up once a year, and I wish to utilize it for the purpose of telling unpleasant truths. I am very glad that the number of unpleasant truth-tellers in the Council is increasing. I think that the attitude of the Government cannot be described better in fewer words than have been employed by Mr. Chintamani, namely an attitude of non-co-operation. The non-co-operators had

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always been receiving bad names from the Government benches for their attitude of non-co-operation, while the Government in their turn could not pay back well on account of the lack of opportunity for it. The fact of the matter is, that there is very great dissatisfaction against the present Government owing to its disregard of popular opinion and to its own autocratic ways of action. It is absolutely impossible to give a full list of complaints within fifteen minutes, and so I shall give the headings only. First is the manner in which the Government support their subordinates through thick and thin, sometimes even unfairly. This is a thing which is obvious to every member of the Council at the time of interpellations. Honourable members putting questions must be feeling what satisfaction they get from the answers which they receive from the Government. Indeed, this lesson has also been learnt by the Ministers from their teachers in the art of self-government, with the result that they have now grown into the habit of giving ingenious and evasive answers to the questions. We know how boldly they disregard our opinion and how boldly they attempt to put off the troublesome and inconvenient questions that are put to them. The greatest complaint that I would like to make against the present Government, and particularly against the head of the Government in these provinces, is that during the whole period of His Excellency's régime the Council has been treated very shabbily. Its opinion has always been disregarded by him, and important matters brought to the notice of the Government, which should otherwise have received his careful consideration, have consistently been thrown into the waste paper basket. The utter disregard which the present head of the Government has shown to this Council can be sufficiently realized by one instance only, and it is this that up to this time although there have been several meetings of the new Council, His Excellency the Governor has not thought it fit even once to address us. The Hon'ble Ministers, though occupying seats by the better half of the Government, are treated, if I may say so, no better than untouchables in Hindu society, for they have never been known to have received an opportunity for joint deliberation, as is contemplated in the "Montford" Report of Reform.

My next complaint is that the Government have been utterly unimaginative and extremely slack and procrastinating in the introduction of measures of reform that are demanded by this Council. Some of these measures have already been mentioned by the honourable member for Partabgarh, for example, the separation of judicial and executive functions, the formation of district advisory councils and scores of others which I could cite, if time permitted. While the Government have been slow in the introduction of measures of reform, they have been equally slack in the matter of the Indianization of services. I think no person could be a better and more ardent protector of the interests of the European services than His Excellency the Governor. He is very keen

**The Hon'ble Sir Sam O'Donnell:** I rise to a point of order. The honourable member cannot reflect upon the conduct of His Excellency the Governor.

**The Deputy President:** I hope the honourable member will bear this in mind.



**Pandit Brijnandan Prasad Misra:** I have absolutely no desire to make any reflection upon the conduct of His Excellency the Governor. I was only making a statement of fact without giving expression to anything that would have been derogatory to the personality of His Excellency.

I would like to cite an instance of the Oudh Chief Court Bill. One of its most important provisions was about the numbers of European and Indian judges—a point on which His Excellency did not agree with the Council. The Bill was returned to the Council to reconsider its decision regarding this provision.

I know that unpleasant things are not very easily borne by those affected, but when they take a certain line of action they must be prepared to hear such things.

All these things would not have been possible if the Council had not been tolerating them as it has been doing. It did not assert itself and therefore these things have continued. Extravagance has also been one of the characteristics of this Government. It was thought that owing to the extreme paucity of funds every consideration would be given to economy, but this has not been done. Our attitude in regard to matters financial has been made clear even by today's proceedings. I do not want to say anything against the present Ministers. All I want to say is that the existence of three Ministers is not a thing which shows that any regard was paid to economy. If important departments like the reserved ones can be controlled by two persons, it is not understood why two Ministers cannot administer the transferred departments. When His Excellency selected three Ministers for the transferred departments, it was thought that more departments would be transferred to them. It was justifiably hoped that when three Ministers were taken His Excellency would make a representation to the Government of India for a readjustment of the departments, but this has never been done. Even resolutions and proposals that were sought to be introduced into the Council on the question had been rejected by His Excellency the Governor in his exercise of the right of disallowing resolutions. Never an important resolution that had a bearing upon matters of principle had been allowed. I think that the disallowing of such resolutions has been a rule rather than an exception. In the end I would say that as few meetings of the Council are called as possible, so that there may be very few opportunities for criticizing the Government.

**The Deputy President:** I may remind the honourable member that he cannot attribute motives to His Excellency the Governor.

**Pandit Brijnandan Prasad Misra:** I am not attributing motives. What I mean to say is that Government have been very lucky in having very few meetings, so that they may not have to listen to unpleasant things as often as possible. It would be idle to enumerate the whole list of complaints, and therefore I conclude with the remark that Government will take a note of what I have said.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I would not have taken part in this debate, but as my name has been particularly mentioned by the honourable member for Partabgarh, I say a few words. His speech has reminded me of what was once said by Sir H. Butler in his speech, namely when we visit the old shooting

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we remember that we shot a tiger here. Our shikari remembers that we missed a bear there. We remember our achievements : he remembers our failures. Had I known that the honourable member would raise these points in connexion with this debate, I would have been able to put many instances before the House, showing that we adopted many proposals in deference to the views of this honourable House. But I am sorry I had no notice, and thus I could not collect the material. However I have jotted down several points from my memory. In the Forest department I remember that it was in deference to the views expressed by the honourable members of this House that the Utilization circle was abolished. The honourable members are aware that very many changes have been made in the Jail department and many changes have been made in the Jail Manual, which they will know when it is published. Last year, during the discussion on the police budget, the honourable members of this House expressed the wish that in the recruitment of sub-inspectors preference should be given to graduates over non-graduates, and a circular was accordingly issued to the commissioner. Last year perhaps the Council expressed its view to hold a session in Naini Tal and that was also done in deference to the views of this House.

Now coming to the point of the separation of judicial and executive functions, my inclination can be imagined from the fact that I was one of the members of that committee which made this proposal of separation of executive and judicial functions. But, as I said in reply to a certain question, the whole matter is in the hands of the Government of India. Why I did not agree to send a reminder to the Government was due to the fact that in the very month that the question was put to us—perhaps it was January 17—we received a communication in reply to our reminder to the Government of India saying that the matter was still under consideration. Therefore there was no occasion for us to send reminders to the Government of India. That was the reason why I said that there was no use to send any reminder.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** What has been done since then ?

**The Hon'ble Lieut. Nawab Md. Ahmad Sa'id Khan :** Now, the honourable member can himself imagine the futility of this question. It is only a few weeks ago and the honourable member asks me that what has been done since then. The honourable members can very well imagine that in big questions like this you cannot go on reminding every week or after every fortnight. What I was going to say was that it was never the intention of this Government to flout the considered opinion of this honourable House. Whenever for very very strong reasons we have to disagree, I wish to assure honourable members of this House that it is with reluctance that we disagree with this honourable House. Otherwise it is our desire always to carry on the reserved departments also according to the wishes of this honourable House.

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I had no intention of taking part in this debate ; but as it is the time for mentioning those complaints which we have about the Government, namely, that they never give any heed to our resolutions, they do not accede to our requests, I thought I should also add a few words. Sir, there were two demands

which were incessantly and unanimously made by this House. One of them was about the grants to the Benares Hindu University and the Aligarh Muslim University and on more than one occasion we have passed resolutions about these grants unanimously. We heard the reasons of the Government and even after hearing those reasons we considered it reasonable to pass those resolutions unanimously. But there is no bound, no limit to my disappointment when I find that not a single pie is yet given to us, and we even do not find any pie in the schedules of the present year budgeted for these two national institutions. Sir, the other question is that of the settlement. I remember that in three years not only three times rather more than three times we rejected the demands for new settlements on account of some grievances which we had in clear terms put before the Government. But against our wishes and without any care for our demands, settlements are going on with the help of the certification. Sir, when our unanimous demands do not receive any response we can only say that the debates in the Council and our passing of motions is quite useless and there is no effect of them. I hope that the Government will accede to our wishes, in future so that we may realize that the Councils are really useful for the country, for the province and for our constituents.

With these few words I give my whole-hearted support to the motion which is before the House.

**Rai Bahadur Babu Vikramajit Singh :** On the question of separation of Judicial and Executive I feel very strongly and I have a great grievance against the Government. If the Government are prepared to place their despatches to the Government of India on the table and to show what steps they have taken from the year 1921 up till now in order to get this reform introduced and if we are satisfied after looking into these despatches that it was not due to the callousness of the Local Government but that of the Government of India, then we will absolve this Government of all blame in this matter. But as far as I can judge from the manner in which this question has been dealt with by the present Government, I think that they have never been serious in this matter after the year 1921. In the year 1921, as Mr. Chintamani has said, a committee was appointed and a definite undertaking was given. I was also placed on that committee and we spent a number of days in Naini Tal in working out a scheme and in seeing how the separation of Judicial and Executive can be effected. The scheme was not a costly one. It was only to cost three or four lakhs of rupees in bringing about that separation. The Committee was presided over by Sir Louis Stuart, the Hon'ble Chief Judge of the Chief Court, the Hon'ble Home Member also sat on the committee and so did Mr. Justice Wazir Hasan. We came to a unanimous conclusion and our recommendations were placed before the Government. But we find that on one pretext or another these recommendations were never given effect to. Is it not a question of treating the Council shabbily? Is it not a question of humbugging the committee and the members of the committee that they should be asked to serve on a committee and when they have discharged their duty and placed their report before the Government, the Government absolutely takes no notice of the report? We were told in those days that there was financial stringency, that there was not sufficient money, otherwise

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this reform would have been given effect to. Now, Sir, when we find that we have enough money to put up the Council Chamber at a cost of thirty lakhs, we have enough money to spend on police buildings, we have enough money to carry out every other reform, have we not got sufficient money, to carry out the reform for the separation of the judicial and the executive so that it cannot be said that it is on the score of the financial stringency that this reform is not going to be introduced? I think the answer lies somewhere else. Probably the Government thinks that their prestige will be shaken, that the Government does not find itself comfortable on the separation of Judicial from the Executive. If they really had the heart, if they had the will to separate the Judicial from the executive, there would be no question of a thing like that remaining undecided with the Government of India, because it does not depend on the reform being introduced simultaneously in all the provinces. We know that in the different provinces there are different methods of administration. Even if we go to Naini Tal, Kumaun, and Garhwal, we find that the method of administration so far as civil matters are concerned is entirely different. It is not the same as in other parts. Consequently there could be no difficulty in introducing a reform of this nature, if the Government had a mind to do it; but we are constrained to come to the conclusion that the Government are not as anxious as the public and the members of the Council are to introduce this reform. Therefore, unless the Government can give a satisfactory explanation to us they stand condemned on this point. I therefore, without saying anything on the many other matters which have been brought to the notice of the Council by other members, should say that this one fact alone is sufficient to carry the resolution against the Government.

**Chaudhri Niamat-ullah :** I wish to say a few word as regards one of the grounds on which the honourable member for Partabgarh has proposed this cut. I refer to the question of the separation of the judicial from the executive. As we are all aware, this question has been before the country ever since the year 1886 when it was first mooted before the sessions of the Indian National Congress. It took us at least 15 years to elicit from the Secretary of State in the year 1893 an admission that the principle for which the Indian National Congress fought year after year was really a sound one. Still the authorities in India did not recognize the necessity of separating the judicial functions from the executive. They opposed it on a number of grounds; some of the reasons that were advanced by the executive authorities have since become a matter of ancient history and I need not refer to them at this stage. It is sufficient to mention that by the year 1908 a recognition was elicited even from the Indian executive officials that the executive and judicial functions should not remain united under the same authority. It must be within the recollection of the members of the House that as an experimental measure separation of judicial from executive functions was made in two districts in Bengal. Here, again, we find that the manner in which the separation was given effect to was a mere farce. The district magistrate remained the head of the magistracy, he also remained the head of the executive part of Local Government; by local Government here I mean the Government of the district. They appointed an additional district magistrate and eventually

made him the head of the magistracy. It was not till the year 1921 that a clear and unambiguous declaration was made by the Government that the judicial functions must be separated completely from the executive. This, however, remained a mere pious wish, as subsequent experience has shown, and when the question was raised before the Legislative Assembly early in the year 1921 the reply that was elicited was that this was the concern of the Local Government. The Government of India had little to do with this question; if any Local Government made up its mind to separate the judicial from the executive and approached the Government of India to make the necessary legislation, the Government of India would not be found slow to act upon that recommendation. Now, this reply naturally encouraged those who were in favour of approaching the Local Government, and they eventually, so far as this province is concerned, actually raised the question early in the year 1921 and there was a full discussion before the Council as to when and how the judicial and the executive functions should be separated. It is a well-known fact. I hope it is not true in this particular instance, that when the Government wish to shirk a matter the easiest way of doing so is to appoint a committee. A committee was appointed in this case, and, as one of my honourable friends here has complained, he was a member of that committee; he bestowed his time and energy as a member of that committee and the committee came out with a report, which has not so far been discussed in this Council and, so far as we know, the Local Government has not declared its views with regard to the recommendations of that committee. Well, that report was sent for the approval of the Government of India and the question was put in this Council as far back as January, 1924. The then Hon'ble Home Member gave exactly the same reply as the Hon'ble the Home Member gave in January, 1927, and that is the same reply which he has given to day, namely, that a reference will be made to the Government of India. The report is before the Government of India and we are awaiting their reply. Now, so far as the Government of India are concerned, they for their own part are in no hurry at all. Questions have been put in the Legislative Assembly time and again and the reply which has been elicited is that the reports from all the Local Governments have been received, that they are being considered and after the Government of India have formulated their views on a consideration of all the reports of all the Local Governments a definite reply will be given. Now if we compare the attitude of the Government of India as reflected by its recent replies with the attitude of the Government of India which is reflected in the earliest reply given by them on this question, namely, that it is a matter for the Local Government and if the Local Government makes any recommendation, the Government, of India will not be slow to act upon it, the inference which it is legitimate to draw is that the object of the Government is to delay this reform as long as it is possible to delay it. In consequence, there is a growing impatience and mistrust among the people who have been agitating for this reform for the last fifty years, who have had experience of obstinate opposition from the Government, and when eventually this reform was practically extorted and the Government found that it was impossible for them to oppose it on any ground relating to the merits of the case, they have resorted to the device of delaying this reform, and the report

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of the committee is being sent from pillar to post and from post to pillar.

I support the motion that has been moved by the honourable member from Partabgarh on this ground and no others.

*The Hon'ble the President here resumed the Chair.*

**Rai Bahadur Babu Mohan Lal :** I stand up to support the motion of Mr. Chintamani, not because it requires much support, as it has been already supported by a number of honourable members, but I have simply to show to the House that it is the decided opinion of men of all shades of opinion. And it is to give vent to this opinion that I stand up. This has been a long-standing clamour of the people of India that the judicial should be separated from the executive, and the Government has also given a promise to separate them, and I think it will be very honourable for the Government to carry out that promise. The matter should not be delayed, as it has been already delayed so long. When there is a will, there is always a way. If the Government really want to give effect to the wishes of the people of this province and to the expressed wishes of men of all shades of opinion, then the Government can find a way. They know how they can impress upon the Government of India that it is the decided wish of the people of these parts that this separation should be made at an early date and they can find out ways of impressing the immediate need of separation on the Government of India and can so devise means as to give effect to these wishes.

I will not take up much of the time of this Council by giving other arguments in support of this motion. This requires very little support, and the support which has already been given is quite enough, and I conclude with extending my whole-hearted support to this motion.

**The Hon'ble Sir Sam. O'Donnell :** The charge brought against us is that of a lack of responsive co-operation or that there has been no responsive co-operation on our part. Let us see on what that charge is based. The honourable member for Partabgarh cited three instances. With regard to two of them—Commissioners and advisory committees—it is true that we were unable to accept the recommendations of the Council. I have given my reasons for not doing so more than once and I need not repeat them at length on the present occasion. In one case we considered that if we accepted the recommendation, it would mean a great loss of administrative efficiency. In the other case we considered that the proposal was constitutionally unsound and that it would impair the legitimate powers of this Council. As regards the third, it seems to me that it was singularly ill-chosen. I mean the reference to the separation of judicial and executive functions. We prepared and forwarded our scheme and proposals to the Government of India and we await their orders on that scheme. I am perfectly aware of what Sir William Vincent said in the first Legislative Assembly. I am not likely to forget it because at that time, as I am reminded, I was Secretary in the Home department. Whatever Sir William Vincent said at that time, the fact remains that the decision in this matter rests with the Government of India and we could only await their orders on the point. When I said that naturally their consideration would take time because all the other provinces were concerned, I was merely referring to what seemed to be clear from the answers given in the Legislative Assembly, namely, that the

Government of India were considering the replies received from all the provinces. There has been no unnecessary delay on our part. I said in 1923 that if the Financial Bill, then brought forward, were passed, we intended to put in the budget for 1923-24 a provision for the separation of judicial and executive functions, but so far we have not received any orders from higher authority on the point. I have been asked by the honourable member from the United Provinces Chamber of Commerce, Cawnpore, to place on the table our correspondence with the Government of India. To that my answer is that it is contrary to the standing orders to place the correspondence between ourselves and the Government of India on the table of this House. But, Sir, the cases referred to by the honourable member for Partabgarh were not the only cases in which resolutions were passed by this Council. There were others which have been conveniently forgotten, e.g., there was resolution about bringing Kumann under the jurisdiction of the High Court. That has been accepted. There was a resolution regarding the assessments in the Tarai and Bhabar. That has been accepted, in part at least. There was the Economy Committee. A great many recommendations of that committee were accepted. There were resolutions regarding the opening of recruitment to various castes in the police and regarding the extension of the jury system. Those also were accepted, either wholly or in part. There was a resolution regarding circle inspectors. We could not agree to reduce all the circle inspectors. We, however, reduced 37 circle inspectors. There was a resolution regarding the revision of the Jail Manual. Steps have been taken to carry that out. Then there was, as my honourable friend the Home Member reminds me, the question of the irrigation rates. We have not been able to agree to re-introduce the old rates, but we did, in consideration of the views expressed by the Council, reduce the rates on sugarcane at a loss of five lakhs. I was very reluctant to make that cut. By making that reduction our rates fell below those in the Punjab; but nevertheless in deference to the strong opinion expressed in this Council we did make that reduction.

Then there is the question of settlements. We accepted the principle that the assessments should be regulated by statute and we introduced a Bill—a Bill which, by many at any rate, has been recognized to have been framed in the most liberal terms. It is not our fault that that Bill is not on the statute book. And in the rules which have been published we have embodied all the main concessions—they were very great concessions indeed—which had been in our Bill.

It is quite true that in certain cases we have differed from the Council. We have never claimed that in all respects we carry out the recommendations of the Council, but in no case have we declined to do so until after careful and anxious consideration. We are always ready, so far as is consistent with our responsibilities, to give effect to the views of the Council.

Mr. Mehrotra has referred to the case of the Lucknow University. Well, Sir, I remember that again and again a resolution regarding the representation of the Lucknow University on the Council appeared on the agenda paper. Mr. Mehrotra had bad luck apparently or, at any rate, other members were not very interested in the matter and were not prepared to stand down in his favour because the resolution generally found a place at the bottom of the list. But on one occasion Mr. Mehrotra's resolution was reached. Unfortunately on that occasion the Council

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broke up in the middle of his speech for want of a quorum. On the merits of the proposal I need only say that as I read the recommendations of the Joint Parliamentary Committee, although it is not stated in express terms, and looking also to the fact that the constituencies are fixed by statutory rules which receive the approval of the Parliament, it does look to me that it was not contemplated that constituencies should be altered within the statutory period.

Some honourable member referred to the question of the extension of the term of the Council. Well, no doubt, that is one of the matters—the period for which the Council should sit—that will be considered by the statutory commission, and the Council, I hope, does not expect me to give any expression of opinion on that matter today.

**The Hon'ble the President :** This motion has been discussed for more than an hour and honourable members should not forget that we are discussing the budget. This is the seventeenth motion on the order paper and there are 112 motions to be discussed. I have no desire to curtail discussion, but I simply want to draw the attention of the House to this fact.

**Pandit Govind Ballabh Pant :** I think, Sir, that by having this discussion at this stage we are saving the time that we otherwise will have to give to these token motions at the end when discussing the full grant under the head of "General Administration".

While according my support to the motion of honourable member for Partabgarh I must state at the outset that I do not share the views of the honourable member for Pilibhit in respect of certain observations which he made. For example, he complained of the fact that His Excellency the Governor had not favoured us with his presence. I personally think that His Excellency showed an unusual consideration for the non-official members of this House. For holding the exalted position that he does, and considering the weight that his position carries, he might have thought that we should be given entire freedom to discuss matters according to our own views untrammelled by an expression of his views, and to the extent he has been influenced by this consideration he has done us a favour and I am grateful to him. I hope Government will learn a lesson from the disinterestedness he has shown to us.

**The Hon'ble President :** I cannot permit remarks which have the appearance of any reflection on His Excellency the Governor.

**Pandit Govind Ballabh Pant :** I am not reflecting, Sir, I am defending His Excellency. Now, Sir, I will refer to the other matters and they will not affect His Excellency at all, whether by way of defence or otherwise. Sir, the Home Member said that the reserved half had not flouted the opinion of this House, and the Hon'ble the Finance Member has said that if they have rejected recommendations of this House, it was after very careful consideration. I am prepared to accept that if they did not accept the recommendations of this House, it was because they did not agree with the recommendations, for I am prepared to admit that they are not so perverted as to throw out recommendations of this House even when they are in agreement with us simply because the non-official members have made those proposals. But the point for consideration is this. What is the essence of responsible government? Whether those



whose duty it is to administer the departments should carry out the expressed and organized will of the non-official members of this Council representing the people in this House when they agree with it or whether they should give effect to that whether they agree with the recommendations or not? The Finance Member said that there are instances when we accepted the opinions of this House. Does he suggest thereby that in not a single one of these various cases he personally, or the Government if left free, would have adopted that course, or does he suggest that he was in agreement with the recommendations made and therefore he adopted them? He has said that there were certain matters entirely at the disposal of the Government of India. I can refer him to matters entirely within his scope which could easily be disposed of by him. The other day there was an amount of discussion here in connexion with deliberate rascality. Sir, I think it is not improper to say that corruption is not confined to the judicial services alone, and the executive services cannot claim absolute immunity. Resolutions were passed by the House asking for the appointment of a committee to devise means to deal with corruption. The Government has not apparently taken any action in the desired direction. But what has Government done in this matter? I give due credit to the present Chief Justice for the measures he has been taking for purging the judicial service of undesirables. What has Government done for the purity of the executive service? Sir, we have again and again raised the question of unemployment and asked the Government to take measures to meet it. What has Government done in this direction? We have again and again asked Government to appoint standing committees and attach them to the Jail and Police departments. Will the darkness of these departments never admit of any light from any quarter? Sir, we have again and again moved resolutions in this House, resolutions that have been accepted by this House, for the modification of the Arms rules. Has the Government modified those rules? Has Government in fact anywhere expressed its concurrence with the wishes of this House in respect of those rules? Sir, there was that Land Revenue Bill which was discussed by the House and the House made certain amendments in it. It was recommitted to the consideration of the House and the House confirmed its previous opinion.

What was the result? The Bill was withdrawn. Is that the way the considered opinions of this House are to be respected? Because the House re-asserted what it had decided previously Government decided to withdraw the Bill altogether, and when the question was put whether the Bill was to be reintroduced, Government said that it was a matter which it was not necessary for them to deal with in the administrative interest and so they were not prepared to give an answer to the question. Cuts have been made again and again in this House and some will be made again today or tomorrow. Every year we are urging Government to appoint a larger number of Indians to the Secretariat. There have been some vacancies every year.

**The Hon'ble the President :** If the honourable member refers to the Indian element in the Secretariat now, he will not be allowed to speak on it when the Secretariat budget comes up. The same thing cannot be discussed over and over again,

**Pandit Govind Ballabh Pant :** Well, Sir, there was one resolution which affected a very small amount relating to the reduction of grazing rates in the Tarai and Bhabar Government estates. Not only was the resolution adopted by the Council, but the Finance Member granted me an interview and I had the honour of discussing it with him for more than an hour, and still that petty trivial matter was not accepted by the Executive Government because they did not find themselves in agreement with the expressed wishes of this House. That one incident exposed to me the mentality, the attitude of the Executive Government towards resolutions of this House, and I submit that Government has been dealing with the resolutions of this House just as a school master would deal with the recommendations of an athletic club. Sir, in the end I want to refer to another matter which is not purely of a constitutional character, but more of a financial nature. It comes under this head. I was referring in the course of another motion to the electric plant in the Government House. There is electric light in Naini Tal and the Government could easily and economically use the light that the municipality can supply. Instead of that I understand there is another separate plant for Government House. It costs a considerable amount, and I suggest it to Government that this unnecessary waste of money should be stopped. I am also told that there was a committee held to consider the financial position of the municipal board of Naini Tal, and it was decided in that committee that the Government would be advised to purchase electric power from the board instead of running a separate plant. Sir, I hope the Government will not forget that the question of grants to the Benares and Aligarh Universities has again and again been raised in this House, but they have not been able to meet the wishes of the members of this House. As the Hon'ble the President has reminded me, I have already encroached too much on the time of the Council, so I do not labour the point further.

**Mr. C. Y. Chintamani :** The Hon'ble the Home Member has mentioned that in the matter of bringing Kumaun under the jurisdiction of the High Court the wishes of the Council have been accepted. Has action been actually taken? Is Kumaun in the same position as the other districts of the province of Agra in the matter of the settlement of civil suits? The Hon'ble the Finance Member has stated that many of the recommendations of the Economy Committee have been accepted. I agree that many were accepted. But there are two things which Government would be always, or nearly always, prepared to do. As a very distinguished gentleman who was a member of the Madras Executive Council, the late Mr. Krishnaswami Iyer, remarked, when we mention reform and the Government also say reform it has a tendency of beginning as well as ending with the construction of costly buildings and the appointment of high paid European officers. When you talk of economy, menials, peons, clerks and inferior stationery—these things comprise most of the heads of economy. When you touch any high-placed officer drawing thousands of rupees in salary, economy flies through the window.

I will not take up much time. I will only mention one thing. The Hon'ble the Home Member gave a humorous turn to the proceedings when he said as the last word that Government, out of deference to the

wishes of the Council, held a session of the Legislative Council last year at Naini Tal. I entirely agree that there Government showed whole-hearted co-operation, probably co-operation which they themselves invited. I am prepared to agree with the Hon'ble the Home Member that it is with great reluctance that he goes against the decisions of the Legislative Council. How could it be otherwise? It is by virtue of his position, not because of his personal inclination, that he would go against us. The other day he said to one of my friends here in reply to a question, the Hon'ble the Home Member "is not a prisoner." I am sorry to say, he is. He is a prisoner of the machinery of which he is a part, that part of the machinery which, being not responsible, is also unresponsive. Having heard the speeches of both members of the Executive Council I see no reason to modify the opinion which I expressed in my opening speech.

**The Hon'ble Sir Sam O'Donnell:** I have very little to add. The honourable member for Partabgarh has said, as regards the Economy Committee, that we have accepted only proposals for the reduction of the inferior staff. I gave details the other day about four appointments the abolition of which was recommended by the committee, but which we were not able to accept. I have also on more than one occasion given reasons for not accepting these proposals. In general, there is a fundamental difference of opinion between us and the honourable member for Partabgarh on that point. He believes that the superior staff in this province, and I suppose in India generally, is too great. Well, that is not my view. I believe that if a comparison were made with other countries India would come out very favourably in respect of the strength of the superior staff. Many people who come to this country, persons with experience of administration elsewhere, are struck with the small numbers that are employed in the superior appointments.

The honourable member for Naini Tal laid great stress on the fact that we did not accept the resolution about grazing rates. Well, Sir, so far as I recollect, there were four resolutions regarding Kumaun moved in this Council. One was to bring Kumaun under the civil jurisdiction of the High Court. That has been carried out. Another was to reduce assessments in Tarai and Babbar. That has been accepted.

**Pandit Govind Ballabh Pant:** No.

**The Hon'ble Sir Sam O'Donnell:** I know reductions were made in one case, rents or revenue, I forget which. Then there was a proposal to appoint a committee to examine the questions of removing Kumaun from the operations of the Scheduled Districts Act. That committee was appointed, and it is entirely owing to the fact that our time, as also the time of the non-official members, was taken up with the Rent and Revenue Bills that that committee has not yet sat. So that out of the four resolutions regarding Kumaun action was taken on three. I think the honourable member for Naini Tal might have remembered that.

As to corruption, we have issued instructions. As I explained in answer to a question, it would defeat the purpose in view if we published them; but I have given a list of cases in which action has been taken showing that we are by no means lacking in vigilance.

As to unemployment, I think if the appointment of a committee could relieve unemployment I should be the first person to agree. There

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seems to be an impression sometimes in some quarters that the panacea for all evils is the appointment of committees. I do not wish to depreciate the value of committees. I know very well that often they have rendered very valuable service. But I confess that I doubt whether a committee would produce anything practicable on the subject of unemployment.

**The Hon'ble the President:** May I know what exactly is the issue before the House ?

**Mr. C. Y. Chintamani:** The point which I stressed was that the Governor in Council is very backward in responding to public opinion. It does not carry out public wishes.

**The Hon'ble the President:** The object of the motion moved by Mr. Chintamani is to express the opinion of the House as to the backwardness of the Governor in Council in responding to the wishes of the House. That is the issue before the House. The amendment moved by Mr. Mehrotra, I understand, touches on two points, viz., the allotment of a seat for the Lucknow University in the Council and the question of extension of the life of the Council. We had a debate on these points last year and they were carried more or less in the first motion. I will put the first amendment to the Council, viz., the backwardness of the Governor in Council in responding to the wishes of the House.

*The amendment moved by Mr. Chintamani was put and the Council divided as below :—*

*Ayes, 60 ; noes, 27.*

*Ayes.*

Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Charana.  
Babu Prag Narayan.  
Sri Ganesh Shankar Vidarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Pandit Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.

Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Raja Raghuraj Singh.  
Mr. C. Y. Chintamani.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Khan Bahadur Mr. Muhammad Ismail.  
Khan Bahadur Saiyid Jafar Husain.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Bihari Lal.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## Noes.

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad  
 Ahmad Sa'id Khan.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.

Khan Bahadur Chaudhri Wa'id Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dadd.  
 Colonel G. Tate.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clark.  
 Mirza Muhammad Sajjad Ali Khan.  
 Rai Bahadur Babu Abhinandan Prasad.  
 Kunwar Surendra Pratap Sahi.  
 Haji Abdul Qayum.  
 Mr. St. George H. S. Jackson.  
 Kunwar Bisheshwar Dayal Seth.  
 Mr. E. M. Souter.

**Khan Bahadur Hafiz Hidayat Husain:** I beg to move a (token) reduction of Rs. 10 under sub-head "4—Contingencies—Maintenance of Imperial Hotel."

My object in moving this token reduction is to point out to the Government that a good deal of money has been locked up in the purchase of the Imperial Hotel and it is not being fully utilized for the purpose for which it was meant. It is simply a white elephant. I understand that in the new Legislative Council at least twenty chambers are going to be built for the members. Should that be the case. I think the best thing would be to sell off the Imperial Hotel so that the money on it might not remain locked up. If, however, the chambers are not to be built, then I would suggest that the hotel should be improved from the condition in which it now is by the addition of a good library and by good catering arrangements for both Muslims and non-Muslims.

**The Hon'ble Sir Sam O'Donnell:** This is not a matter at any rate in regard to which it could be said that we are not responsive to the views of the Council. If the Council thinks that the Imperial Hotel is not wanted, I do not anticipate any difficulty in giving effect to its views in the matter, though I should have to consult the Government before giving a final answer. But I always understood that during the last two or three years a great deal of use was made of the Imperial Hotel. I thought many members welcomed this hotel, but if they have altered their minds and if the Council as a whole thinks that the hotel is not wanted, doubtless we should be able to sell it and make some money. There will be no objection to that proposal. I rather think, however, that there will be opposition from quite a number of members on that point and if that is so, I hope they will express their views on the matter.

**Khan Bahadur Hafiz Hidayat Husain:** What about the chambers?

**The Hon'ble Sir Sam O'Donnell:** As far as I know, there are no residential chambers in the Council Chamber. Of course there is accommodation for non-official members meeting rooms, etc., but there are no bed-rooms or residential accommodation.

*The motion was, by leave of the Council, withdrawn*

**Pandit Govind Ballabh Pant:** I beg to move a reduction of Rs. 100 under sub-head "2—Provincial Legislative Council."

A similar motion was brought before the House by me in 1925. I had two or three objects in view when I made that motion.

[Pandit Govind Ballabh Pant.]

In 1925 or about the end of 1924 the Government accepted a resolution suggesting that the speeches delivered in the vernacular in this Council should be fully reported and that provision should be made for the necessary establishment. There was a further request contained in that resolution, namely, that vernacular versions of the Council proceedings should be made available. The Hon'ble the Finance Member on behalf of the Government accepted that resolution. Subsequently in 1925 in the course of the budget discussion I again brought this question to the notice of the Government, and the Hon'ble the Finance Member said as follows in reply to my speech on March 18, 1925:—

"The Government have accepted the resolution on that subject, but it is impossible to give effect to it immediately because there are, I think, no trained Urdu and Hindi shorthand writers available at the present moment."

"A member—'There are.'"

"The Hon'ble the Finance Member: I am glad to hear that. But at present in the Police department we have to make arrangements for training men. Apart from that, I should prefer to come forward with a supplementary estimate after the monsoon. If the monsoon is normal and if our revenue comes in, as we expect, I should be quite prepared to bring in a supplementary estimate on the subject in November."

Sir, the answer was that he would make provision if the monsoon was propitious. In Hindustani if it is said "*bad barsat ke dekha jaega*," that is interpreted as meaning that it will never be done. But as he made the statement in the English language, I thought he was serious about it. The monsoon was propitious enough, and yet no provision was made. I do not know what his intentions are now. This year, however, we have received a remission to the tune of a crore and a half, and if even now it is not considered possible to make provision, may I humbly inquire on which windfall then the Government are counting? I had also suggested that the price of the Council proceedings should be reduced. The Government responded to that to a certain extent and brought the price down to five annas, but again I request that it be valued at not more than two annas a copy. That is the price of such publications in Madras; I do not know what it is in Bengal, but think it is about the same. My whole point is that if you want the public outside this Council to take an active interest in the deliberations of this House and if you want the electorate to be trained, which you say is a *sine qua non* to any progress towards responsible government in this country, then it is absolutely necessary that literature of this sort should be made cheap. Moreover, the Government will not have to bear any great cost over it, as they already publish the Council proceedings, and what will be further needed is perhaps a little more paper and ink, in which case the price of a single copy could not exceed two annas. It is but fair that such publications should be made available to the ordinary citizens, and I shall be grateful if the Government will let me know what their intentions are in the matter.

**The Hon'ble Sir Sam O'Donnell:** The honourable member for Naini Tal has raised two points. The first is as regards the reporting of speeches in the vernacular. I think there must be some misunderstanding either

on his part or on mine. I was under the impression that Urdu and Hindi speeches were being reported. I have seen proceedings containing reports of speeches in the vernacular. I think the honourable member will find that there are such reports.

As regards the second point, namely, reducing the cost of the proceedings for the public, as he admits, we did make a reduction. If we really thought that by reducing the price still further, we would be doing something towards training the electorate and there would arise a considerable demand for what he describes as Council literature, I should be very glad to accede to his request. But I must confess that I do not believe that a further reduction in the price of the Council proceedings will have any effect whatever on the popular demand. I am quite prepared to look into the matter again and see what it would cost us if we reduced the price further. I am sceptical, however, about the effect on demand of reducing the price. Economists speak about the elasticity and the inelasticity of demand. Demand is said to be elastic if it responds to a moderate variation in price. Demand is said to be inelastic if it does not respond. My impression is that in this case the inelasticity is great.

**Pandit Govind Ballabh Paut:** I have no quarrel if anybody in this House suggests that all that is said here had better be described as trash rather than literature. But if I use the latter term, I borrow it from the Hon'ble the Finance Member. In the speech which I quoted he said:—"I am quite as anxious as the honourable members are that the proceedings should become a form of popular literature and should be read by a large proportion of the population." Of course he is a master of the English language, and I know little of it. As to the other statement made by him, I have only to say that he has omitted altogether the part of the motion which related to the publication of the vernacular versions of the Council proceedings. On that he gave a definite undertaking. We do not know what his intentions are. The other point to which he referred was that speeches are being reported in Urdu and Hindi. I admit that some speeches appear in the Urdu script in the printed volumes, but the present staff is inadequate and the speeches are reported not by the reporters themselves, but mostly they are supplied by the speakers to be embodied in the reports. Any way, if the present staff is inadequate, it is for the Hon'ble the Finance Member to assure us that the Urdu speeches will be reported in the manner in which the English ones are reported. I would ask him just to see how many reporters for reporting the English speeches there are and how long one reporter can sit down and report, and also whether there are reasonable facilities for the vernacular reporters. I of course cannot expect the same amount of staff for taking down the vernacular speeches.

**The Hon'ble Sir Sam O'Donnell:** I agree with the honourable member for Naini Tal that my example, for what it may be worth, can be cited for the use of the term literature. I certainly meant to cast no reflection on the proceedings, to which I have to contribute, perhaps, more than my share. The second point that he raised was that the whole proceedings of the Council should be translated into the vernacular, that is to say, all the speeches delivered in English should be translated into Urdu and Hindi. I do not remember what I said two years ago on the subject, but I do not think that I ever contemplated translating the whole of the

[The Hon'ble Sir Sam O'Donnell.]

proceedings into Urdu and Hindi: that would be extremely expensive. And I am sure that the demand for the translations could be extremely small, and that the expense would not be justified.

As regards the adequacy of the staff for taking down speeches in the vernacular, I have no reason to suppose that it is inadequate. It must be remembered after all that there are not many speeches delivered in Urdu or Hindi. For instance, today not a single speech was delivered in Urdu or Hindi; nor, if I remember rightly, was any delivered yesterday, nor any the day before yesterday. It is only occasionally that a member speaks in vernacular, and for these occasional speeches I think the present arrangements are sufficient.

*The motion was put and the Council divided as below :—*

*Ayes, 38 ; Noes, 39.*

*Ayes.*

Babu Prag Narayan.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sundar Lal.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.

Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Thakur Shiva Shankar Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Raja Raghuraj Singh.  
Maulvi Zahur-ud-din.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khawaja Khalil Ahmad Shah.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheswar Dayal Seth.  
Rai Bahadur Babu Vikramajit Singh.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.

Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Charana.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Rai Bahadur Babu Abhinandan Prasad.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Saiyid Tufail Ahmad.  
Nawabzada Muhammad Liaquat Ali Khan.  
Shaikh Abdullah.  
Shaikh Muhammad Habib-ullah.  
Mr. St. George H. S. Jackson.  
Mr. E. M. Souter.

*The Council was then adjourned to the following day.*



## APPENDICES.

## APPENDIX A.

(See page 204 supra.)

Statement referred to in answer to starred question No. 25 for March 11, 1927, asked by RAI BAHADUR BART VIKRAMAJIT SINGH SAHIB.

Amount of fine realized.  
Rs. 7,033-0-6.

Amount of fine per head  
Rs. 3-5-3.

## APPENDIX B.

(See page 203 supra.)

statement referred to in the answer to starred question No. 35 for March 11, 1927.

Year.	Number of publications, etc., received for the consideration of Text-Book Committee.	Number of publications submitted to the committee for consideration.	Number of publications that remained to be submitted for consideration.
1	2	3	4
1924 .. .. .	*	291	*
1925 .. .. .	767	680	87
1926 .. .. .	1,158	1,116	37

\* Figures are not available.

## APPENDIX C

(See page 209 supra.)

Serial no.	Name of constituency.	Number of seats allotted.	Number of Muslims returned.		
			1920.	1923.	1926.
1	Agra Landholders (North) .. ..	1	..	..	..
2	Ditto .. .. .	1	..	..	..
3	Taluqdars .. .. .	4	1	1	..
4	Upper India Chamber of Commerce ..	2	..	..	..
5	United Provinces Chamber of Commerce ..	1	..	..	..
6	Allahabad University .. .. .	1	..	..	..

## APPENDIX D.

(See page 209 *supra*.)

*Copy of rule 23 (1) referred to in the answer to unstarred question No. 2 for March 11, 1927.*

*Rule 23.*—(1) Save as provided in rule 22 or when acting under the express instructions of the Local Government a Government servant may not take part in, or subscribe in aid of, any political movement in India or relating to Indian affairs. Where there is room for doubt whether any action which a Government servant proposes to take will contravene this provision, he should refer the matter to the Local Government to which or to the Government servant to whom he is immediately subordinate.

# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Saturday, March 12, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(99)

The Hon'ble Sir Sam O'Donnell.	Pandit Venkatesh Narayan Tiwari.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Babu Kavendra Narayan Singh.
The Hon'ble Rai Rajeshwar Bali.	Pandit Shri Sadayatan Pande.
The Hon'ble Thakur Rajendra Singh.	Raja Sri Krishna Dutt Dube.
The Hon'ble Nawab Muhammad Yusuf.	Thakur Shiya Shankar Singh.
Mr. G. B. Lambert.	Rai Bahadur Thakur Hanuman Singh.
Mr. E. A. H. Blunt.	Rai Bahadur Babu Abhai Chandan Prasad.
Kunwar Jagdish Prasad.	Bhaya Hanumat Prasad Singh.
Sir Ivo Elliott.	Pandit Govind Ballabh Pant.
Mr. P. H. Tillard.	Pandit Badri Dutt Pande.
Mr. H. A. Lane.	Mr. Mukandi Lal.
Mr. R. I. Yorke.	Sirdar Nihal Singh.
Mr. A. W. Pim.	Raja Bahadur Bishwanath Suran Singh.
Mr. A. W. McNair.	Rai Bahadur Babu Mohan Lal.
Khan Bahadur Chaudhri Wajid Husain.	Rai Bahadur Pandit Sankata Prasad Bajpai.
Mr. E. L. Norton.	Raja Raghuraj Singh.
Mr. F. F. R. Channer.	Kunwar Surendra Pratap Sahi.
Mr. B. J. S. Dodd.	Mr. C. Y. Chintamani.
Colonel G. Tate.	Mr. Zahur Ahmad.
Mr. A. H. Mackenzie.	Haji Abdul Qayum.
Mr. G. Clarke.	Mr. Muhammad Abdul Bari.
Mirza Muhammad Sajjad Ali Khan.	Maulvi Zahur-ud-din.
Khan Bahadur Mr. Mesud-ul-Hasan.	Saiyid Tufail Ahmad.
Mr. E. Ahmad Shah.	Khan Bahadur Shaikh Zia-ul Haq.
Babu Ram Charana.	Lieut. Nawab Jamsied Ali Khan.
Pandit Rahas Bhari Tiwari.	Nawabzada Muhammad Liaqat Ali Khan.
Babu Sampurnanand.	Hafiz Muhammad Ibrahim.
Rai Bahadur Lala Shyam Sundar Lal.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Babu Bhagwati Sahai Bedar.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Thakur Manjit Singh Rather.	Shaikh Abdullah.
Chaudhri Mangat Singh.	Khan Bahadur Hadiz Hidayat Husain.
Chaudhri Vijai Pal Singh.	Shaikh Ghulam Husain.
Pandit Nanak Chand.	Khan Bahadur Saiyid Jafar Husain.
Thakur Pratap Bhan Singh.	Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mien.
Thakur Bikram Singh.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Thakur Hukum Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Raja Kushal Pal Singh.	Khwaja Khalil Ahmad Shah.
Rao Krishna Pal Singh.	Shaikh Muhammad Habib-ullah.
Lieut. Raja Kali Charan Misra.	Raja Saiyid Ahmad Ali Khan Ali Chaudhri Niamat-ullah.
Lala Nemi Saran.	Mr. Muhammad Habib.
Chaudhri Badan Singh.	Mr. St. George H. S. Jackson.
Rao Sahib Kunwar Sardar Singh.	Rai Bahadur Munshi Ambe Prasad.
Thakur Sadho Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Pandit Brijnandan Prasad Misra.	Kunwar Bisheshwar Dayal Sethi.
Pandit Bhagwat Narayan Bhargava.	Raja Jagannath Baksh Singh.
Rao Udaibir Singh.	Mr. E. M. Souter.
Thakur Har Prasad Singh.	Pandit Iqbal Narayan Gattu.
Lieut. Raja Durga Narayan Singh.	
Pandit Deota Prasad.	
Babu Shyam Lal.	
Babu Uma Shankar.	

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

**Pandit Iqbal Narayan Gurtu :** Mr. President. May I draw your attention to the fact that answers are not yet available ? It is now 11 o'clock and under the rules they should be placed on the table at 10 o'clock.

**The Hon'ble the President :** Answers to all questions ?

**Pandit Iqbal Narayan Gurtu :** Yes, Sir.

**The Hon'ble the President :** They will be supplied as soon as possible. They were rather received late from the Press. I think this delay is for the first time.

## MANUAL OF GOVERNMENT ORDERS.

\*1. **Mr. C. Y. Chintamani :** Is the Hon'ble the Finance Member aware that no copies of the Manual of Government Orders are available ? Will he kindly take steps to see that copies may be available at an early date ?

**The Hon'ble Sir Sam O'Donnell :** Yes. The cost of reprinting the Manual is estimated at about Rs. 10,000, and since a thorough revision is required the Government are considering the question of appointing an officer to undertake the work of revision. It would be wasteful to reprint when revision is imminent.

**Mr. C. Y. Chintamani :** Will the Hon'ble Finance Member be pleased to see that at least one copy is made available in the Council library and in the Secretariat library ?

**The Hon'ble Sir Sam O'Donnell :** Yes, I will see it.

## MUSIC BEFORE MOSQUES.

\*2. **Mr. C. Y. Chintamani :** Will the Government be pleased to lay on the table a copy of the report of the inquiry said to have been made by the Commissioner of Allahabad in 1912 about the custom of music before mosques and also of the inquiry said to have been made by the Commissioner in 1925 ?

**The Hon'ble Sir Sam O'Donnell :** The substance of the reports was given in the Government's telegram, dated October 7, 1926, to Pandit Madan Mohan Malaviya, which was published at the time. The original reports are confidential and cannot therefore be laid on the table. They include other matters besides that referred to in this question.

**Mr. C. Y. Chintamani :** Will the Hon'ble Finance Member be pleased to say whether these reports were made after inquiry by the Commissioner ?

**The Hon'ble Sir Sam O'Donnell :** In the case of the earlier reports the Commissioner reported the result of the inquiries made from the district.

**Mr. C. Y. Chintamani :** Will the Hon'ble Finance Member be good enough to say from whom the inquiry was made, whether it was formal or informal, or whether there is anything on record ?

**The Hon'ble Sir Sam O'Donnell:** Yes. The Commissioner's report was made by the Commissioner giving the result of the inquiry made from the Allahabad district. I actually have the report here with me.

**Pandit Bhagwat Narayan Bhargava:** Was the inquiry a confidential or a public one?

**The Hon'ble Sir Sam O'Donnell:** It was confidential.

**Mr. C. Y. Chintamani:** Are the records of the inquiry also confidential?

**The Hon'ble Sir Sam O'Donnell:** In the original answer I have said that the correspondence is confidential?

**Pandit Bhagwat Narayan Bhargava:** May I know the reasons which have made the inquiry a confidential one and the statement and the record of the inquiry also confidential?

**The Hon'ble Sir Sam O'Donnell:** I have already explained that the matter is confidential.

**Mr. C. Y. Chintamani:** Will the Hon'ble the Finance Member be pleased to give the names of persons from whom the inquiry was made? Can they be stated?

**The Hon'ble Sir Sam O'Donnell:** The Commissioner has simply reported the result of the inquiry made from the district.

#### GOVERNMENT ACTION ON RESOLUTION REGARDING ADMINISTRATION OF CIVIL JUSTICE IN KUMAUN.

\*3. **Mr. C. Y. Chintamani:** What action has been taken by the Government to give effect to the resolution passed by the late Council on December 16, 1924, on the motion of the present Deputy President, viz., "that they take immediate steps to bring the administration of civil justice in Kumaun into conformity with that prevailing in the rest of the province, so that the three districts of Garhwal, Almora and Naini Tal may be brought under the jurisdiction of the Allahabad High Court for civil suits and appeals?"

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** By notification No. 543/VII-421, dated April 1, 1926, Government have extended the civil jurisdiction of the High Court of Judicature at Allahabad to the Kumaun division.

**Mr. C. Y. Chintamani:** Have judicial officers been appointed in the districts?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Not yet.

**Pandit Govind Ballabh Pant:** Is it the intention to appoint them at an early date?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** We are awaiting the advice of the High Court on this point.

**Pandit Govind Ballabh Pant:** When was the High Court consulted in the matter?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Some time about a year ago, I do not remember the exact date.

**Pandit Govind Ballabh Pant :** Will the honourable member find out the date and see if it is necessary to remind the High Court now ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think it is time yet ; it was only a year ago that they were asked.

**Pandit Govind Ballabh Pant :** How long does the High Court ordinarily take to reply an ordinary letter ?

[The Hon'ble the President called the next question.]

\*4 to 6. **Mr. C. Y. Chintamani :** [*Postponed at the request of Government till March 28, 1927.*]

#### REPORT ON PRIMARY EDUCATION.

\*7. **Mr. C. Y. Chintamani :** (a) Will the Hon'ble the Minister of Education be so good as to state why it was necessary to place Mr. Harrop on special duty to prepare a further report on primary education with special reference to rural areas after the production of a report on the same subject by Mr. Kichlu ?

(b) What was the cost of the deputation of Mr. Harrop and of the production of his report ?

**The Hon'ble Rai Rajeshwar Bali :** (a) Mr. Harrop's work was supplementary to that of Mr. Kichlu. Mr. Kichlu examined how the present expenditure on vernacular education could be made to yield better results and how far it was possible to introduce compulsion in rural areas. Mr. Harrop made proposals for giving effect to the District Boards Primary Education Act and for the expansion of primary education in the circumstances created by the passing of the Act.

(b) Rupees 4,381, Rs. 472.

**Pandit Iqbal Narayan Gurtu :** Is it a fact that Mr. Harrop's recommendations go against the provisions of this Act ?

**The Hon'ble Rai Rajeshwar Bali :** I am not aware of that, the report has not yet been examined by the Government.

**Pandit Bhagwat Narayan Bhargava :** Is Mr. Harrop empowered to sit in judgement over the recommendations made by Mr. Kichlu ?

**The Hon'ble Rai Rajeshwar Bali :** I have already said that the Government has not yet examined the report.

#### INSPECTION OF INSTITUTIONS BY DIRECTOR OF PUBLIC INSTRUCTION.

\*8. **Mr. C. Y. Chintamani :** Will the Hon'ble the Minister of Education lay on the table a statement showing for each of the years 1921 to 1926 :—

(i) the number of days in the year spent by the Director of Public Instruction at Allahabad, at Lucknow, at Naini Tal, and in tours of inspection, and

(ii) the number of institutions inspected by him ?

**The Hon'ble Rai Rajeshwar Bali :** (i) A statement is laid on the table.

(ii) No record is kept and therefore the information is not available.

(See Appendix A, page 337.)

\*9. **Mr. C. Y. Chintamani:** How many Government schools and colleges have received no visit from the Director even once in the last six years?

**The Hon'ble Rai Rajeshwar Bali:** Information is not available as no record is kept.

DEPUTY SECRETARY TO GOVERNMENT, EDUCATION DEPARTMENT.

\*10. **Mr. C. Y. Chintamani:** To what extent have the duties of the Deputy Secretary to Government, Education, *ex officio*, been interfering with the duty of the Director to make tours of inspection?

**The Hon'ble Rai Rajeshwar Bali:** Government cannot attempt any precise answer. Before the change of status the Director of Public Instruction found it difficult to tour extensively. The change has not facilitated touring; but during the past three years abnormal factors, the effect of which does not admit of mathematical assessment, have been present.

\*11. **Mr. C. Y. Chintamani:** To what extent has the Secretary for Education obtained relief from the existence of the Deputy Secretary *ex officio*?

**The Hon'ble Rai Rajeshwar Bali:** The change is not believed to have appreciably reduced the Secretary's work. This matter also does not admit of statistical appraisement.

\*12. **Mr. C. Y. Chintamani:** Will the Government be pleased to lay on the table copies of the orders showing what duties are allotted and what powers are delegated to the Deputy Secretary *ex officio*?

**The Hon'ble Rai Rajeshwar Bali:** There has been no formal delegation of duties or powers.

#### GUN LICENCES.

\*13. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a statement showing the number of gun licences for (1) protection, (2) *shikar*, (3) agriculture in each of the following districts at the end of January, 1927:—

- (1) Moradabad,
- (2) Bareilly,
- (3) Bijnor,
- (4) Budaun,
- (5) Pilibhit,
- (6) Shahjahanpur?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** A statement is laid on the table.

(See Appendix B, page 337.)

\*14. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state how many licences were cancelled in these districts last year?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** A statement is laid on the table.

(See Appendix C, page 338.)

## SUPER-CO-ORDINATION COMMITTEE.

\*15. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state what action, if any, has been taken on the report of the Super-co-ordination Committee of the universities appointed at Naini Tal in 1925?

**The Hon'ble Rai Rajeshwar Bali** : The report was sent to the universities of Allahabad, Lucknow, Benares and Aligarh for their consideration and opinion.

\*16. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state if any university, and, if so, which, has decided to carry into effect the resolutions of the committee?

**The Hon'ble Rai Rajeshwar Bali** : The universities were in general agreement with the recommendations, but have not said what definite effect they will give to them.

## POST-REFORM ADVANCES OF CENTRAL GOVERNMENT.

\*17. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state the principles on which they are repaying the post-reform advances received from the Central Government?

**The Hon'ble Sir Sam O'Donnell** : On the equated instalment system, I explained this system in my budget speech, to which I refer the honourable member.

\*18. **Dr. Shafa'at Ahmad Khan** : How much money has actually been paid by the Government under this head?

**The Hon'ble Sir Sam O'Donnell** : (1) Rupees 62,212 provided in the revised estimate for 1926-27 to be adjusted on March 31, 1927.

(2) Rupees 1,08,098 provided in the budget for 1927-28 to be adjusted on March 31, 1928.

## IRRIGATION DEBT.

\*19. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state what the total irrigation debt amounts to up to date?

\*20. (1) Have the Government decided not to create a sinking fund to wipe off this debt?

(2) If so, will the Government be pleased to state how this debt is going to be repaid?

**The Hon'ble Sir Sam O'Donnell** : The honourable member is referred to my budget speech for the information that he desires.

## INTEREST ON LOANS.

\*21. **Dr. Shafa'at Ahmad Khan** : Is it a fact that the interest payable on all loans contracted by the Government will amount to more than a crore of rupees a year?

**The Hon'ble Sir Sam O'Donnell** : I refer the honourable member to my budget speech and also to the detailed estimates which are before him. He can obtain the information he requires from them.

\*22. **Dr. Shafa'at Ahmad Khan** : [*Postponed at the request of Government till March 28, 1927.*]



RECURRING GRANTS TO COLLEGES AND SCHOOLS.

\*23. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing all the recurring grants exceeding Rs. 2,000 a year paid by the Education department in aid of the (1) associated colleges, (2) intermediate colleges, and (3) high schools in the year 1926?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table of the honourable member.

(See Appendix D, page 354.)

GOVERNMENT'S ACTION ON NOMINAL CUTS IN 1926-27.

\*24. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the action taken by them on all the nominal cuts of Re. 1 or Rs. 100 made in the budget in 1926?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table.

(See Appendix E, page 344.)

STAY OF THE OFFICERS OF IRRIGATION DEPARTMENT AT NAINI TAL.

\*25. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that a large number of officers of the Irrigation department, from sub-divisional offices have been permitted by the Government to conduct their duties between the 15th of May and 15th of October at Naini Tal, even though the place is outside the jurisdiction of the officers?

**The Hon'ble Sir Sam O'Donnell :** No. Only a small number.

\*26. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the number of such officers, the length of their stay at Naini Tal and the amount paid for travelling allowance to them?

**The Hon'ble Sir Sam O'Donnell :** Seven, but only five availed themselves of this privilege. Three of these remained one week in Naini Tal, the other two stayed there for two and three months respectively.

No travelling allowance was drawn by these officers.

\*27. **Dr. Shafa'at Ahmad Khan :** Why were these officers allowed to go to Naini Tal?

**The Hon'ble Sir Sam O'Donnell :** Because the officers concerned were employed in malarial tracts where work had to be closed down entirely during the rains and all labour removed.

\*23. } **Dr. Shafa'at Ahmad Khan :** [Postponed at the request of  
and  
\*29. } Government till March 28, 1927.]

WASIKAS IN LUCKNOW.

\*30. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the total amount spent last year on payment of *wasikas* and other pensions to pensioners and relations of the family of Nawab Viziers of Oudh?

**The Hon'ble Sir Sam O'Donnell :** The items in question are :—

		Rs.	a.	p.
(1) <i>Wasikas</i>	...	7,78,407	8	7
(2) Political pensions	...	1,26,704	9	7

**\*31. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a list of names of all such pensioners in the year 1926?

**The Hon'ble Sir Sam O'Donnell:** I have a list of about 2,000 names on my table available for the honourable member's inspection.

**\*32. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a copy of the last report of the *Wasika* office, Lucknow?

**The Hon'ble Sir Sam O'Donnell:** No annual report is prepared.

#### MISMANAGEMENT OF "OUDH PENSION" SENT TO KARBALA IN MESOPOTAMIA.

**\*33. Dr. Shafa'at Ahmad Khan:** Has the attention of the Government been drawn to the statement of Captain Lyall, author of "Ins and Outs of Mesopotamia" in which Captain Lyall specifically states that the "Oudh pension" sent to Karbala in Mesopotamia is grossly mismanaged?

**The Hon'ble Sir Sam O'Donnell:** The answer is in the negative.

**\*34. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to state how much money is transmitted annually to Shah Najaf and Karbala in Mesopotamia?

**\*35. Will the Government be pleased to state—**

- (1) the agency whereby the money is remitted;
- (2) the terms on which it is remitted;
- (3) the deed or other legal instrument which governs the transmission of this amount;
- (4) the persons among whom it is distributed;
- (5) the supervision, if any, that is exercised at Karbala to safeguard its proper use?

**The Hon'ble Sir Sam O'Donnell:** The remittances are governed by the treaty of August 17, 1825, between King Ghazi-ud-din Hyder of Oudh and the British Government. The treaty is reproduced at pages 157—159 of Aitchison's Treaties, Vol. I, 4th edition. Beyond this the Governor in Council has no information, as the matter is dealt with in Central Revenues and the Local Government is not concerned. In 1910 the annual amount was Rs. 1,22,656-12-0.

#### BUDGET OF THE HUSAINABAD TRUST.

**\*36. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a copy of the last budget of the Husainabad Trust?

**The Hon'ble Sir Sam O'Donnell:** \*A copy is laid on the honourable member's table.

#### BUDGETS OF IMPROVEMENT TRUSTS OF CAWNPORE AND LUCKNOW.

**\*37. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay a copy of the budgets of the Improvement Trusts of Cawnpore and Lucknow on the table?

**The Hon'ble Rai Rajeshwar Bali:** A \*copy of the budgets of the Improvement Trusts of Cawnpore and Lucknow is placed on the honourable member's table.

NEW COUNCIL CHAMBER.

\*38. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state—

- (1) the total amount paid to Mr. Lanchester, Architect of the new Council Chamber, to date;
- (2) the time actually spent by Mr. Lanchester in Lucknow in 1925 and 1926;
- (3) whether anybody represents Mr. Lanchester during his absence?

**Mr. P. H. Tillard :** (1) Rupees 1,58,918.

(2) 1925—February 8 to February 23.

March 16 to April 18.

1926—Nil.

(3) Yes.

**Thakur Manjit Singh Rathor :** What is the usual place of residence of Mr. Lanchester?

**Mr. P. H. Tillard :** England.

**Thakur Manjit Singh Rathor :** Who represents Mr. Lanchester in India?

**Mr. P. H. Tillard :** Mr. Morse.

**Thakur Manjit Singh Rathor :** Was this amount of Rs. 1,58,918 paid to Mr. Lanchester for supervision?

**Mr. P. H. Tillard :** It included supervision, preparation of designs and projects, details of the drawings and so forth.

**Thakur Manjit Singh Rathor :** Will the Government be pleased to say why Mr. Lanchester did not visit India to see the Council Chamber in 1926?

**Mr. P. H. Tillard :** I am afraid I cannot say what were his reasons for not coming to India then. But I may tell him that he has just arrived and is in Lucknow today.

\*39. **Dr. Shafa'at Ahmad Khan :** What amount has been spent on the Council Chamber so far?

**Mr. P. H. Tillard :** Rupees 17,64,740.

POLICE BUILDINGS.

\*40. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing—

- (1) the progress made by the Government in the construction of police buildings in these provinces;
- (2) the number of buildings constructed or repaired in each district together with the money spent on each building;
- (3) the programme of the construction and repair of other police buildings during the next five years?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Since April 1, 1925, thirty police stations, nine outposts complete with married quarters and sixteen sets of married quarters built separately have been constructed or are nearing completion.

(2) The honourable member is referred to Public Works department budgets for 1925-26 and 1926-27 of outlay not charged to revenue.

(3) I can, if he wishes, show the honourable member a provisional programme of major and minor works for the next three years only.

**\*41. Dr. Shafa'at Ahmad Khan :** How much money have the Government spent so far in connexion with their scheme for the repair and construction of police buildings ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is expected that Rs. 25,27,206 will have been spent by the close of the current financial year.

#### RECONSTRUCTION OF ROADS.

**\*42. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement giving information in the tabular form below :—

- (1) the mileage of roads constructed or repaired in each district in connexion with their road construction programme ;
- (2) the amount spent on each road constructed ;
- (3) the amount which the Government intend to spend on the construction or repair of further roads in the near future ?

**The Hon'ble Nawab Muhammad Yusuf :** \* Statements of road reconstruction and road construction are laid on the table.

**\*43. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they consulted the Board of Communications before drawing up their road construction programme ? If not, why not ? If the answer be in the affirmative, when ?

**The Hon'ble Nawab Muhammad Yusuf :** (i) Yes.

(ii) Original programme passed at fourth meeting of Board of Communications on October 30, 1920. Revised programme passed at Board's meeting on October 15, 1926.

#### APPOINTMENT OF A COMMITTEE TO AMEND THE DISTRICT BOARD EDUCATION RULES.

**\*44. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have decided to appoint a committee, in accordance with the promise made by the Minister of Education, in connexion with Mr. Nemi Saran's resolution moved in the January meeting of the Council ? Will the Government be also pleased to state the terms of reference, and mention the personnel of the committee ?

**The Hon'ble Rai Rajeshwar Bali :** The reply to the first part of the question is in the affirmative.

As regards the second part, the matter is under consideration.

**\*45 to 48. Dr. Shafa'at Ahmad Khan :** [*Withdrawn by the honourable member.*]

GOVERNMENT'S ACTION ON RESOLUTION *re* ADMINISTRATION OF HINDU  
PUBLIC ENDOWMENTS.

\*49. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what progress, if any, has been made in connexion with a resolution moved in the last Council for the proper administration of Hindu public endowments? Has any committee been formed yet? Has any inquiry been made?

**The Hon'ble Rai Rajeshwar Bali :** The Government hope to appoint a committee soon.

RECOMMENDATIONS OF THE LEE COMMISSION.

\*50. **Dr. Shafa'at Ahmad Khan :** Is it a fact that no member of the Provincial Executive service has been promoted to the I. C. S. cadre in accordance with the recommendations of the Lee Commission? Will the Government be pleased to lay on the table a statement showing the steps, if any, they have taken with regard to recommendations of the Lee Commission regarding the Provincial services?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the answer to starred question No. 18 of January 24, 1927. The promotions in question are made to listed posts and not to the I. C. S. cadre.

*Copy of starred question No. 18 of January 24, 1927, asked by KHAN BAHADUR HATIZ Hidayat Husain Sahib, and the answer given thereto.*

QUESTION.

\*Have the Government made any allotments so far in the Judicial and Executive services of the twenty listed posts assigned to these provinces as a result of the acceptance of the Lee Commission report?

How many out of these have gone or are meant to go to the Judicial line and how many to the Executive line? How many out of these listed posts have already been filled up?

ANSWER.

\*No. Twenty per cent, and not 10 of the superior I. C. S. posts are eventually to be listed. It is however recognized that the Judicial service already has more than 20 per cent. of the superior Judicial posts, and the allotments so far made have been made on the executive side. Two such posts were listed last year, and proposals for a third are under consideration.

DEPUTY SUPERINTENDENTS OF POLICE.

\*51. **Dr. Shafa'at Ahmad Khan :** Is it a fact that assistant superintendents of police of two years' standing are to be given preference in future over deputy superintendents of police? Has this order been received from the Secretary of State for India?

**The Hon'ble Sir Sam O'Donnell :** Qualified assistant superintendents of police are entitled to officiating appointments in preference to deputy superintendents in all posts of superintendent except those reserved for the Provincial service. The eleven per cent. of such posts previously reserved are to be raised to twenty per cent. as the result of the Lee Commission recommendations. This means increasing the actual number of reserved posts from seven to thirteen. So far the number has been raised to eight. The Government of India require the Local Government to obtain their sanction in all cases where provincial service officers are appointed to officiate in superintendships outside the reserved number. Recommendations can only be made if qualified assistants are not available.

\*52. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the number of deputy superintendents of police who are acting as superintendents of police in these provinces ?

**The Hon'ble Sir Sam O'Donnell :** There will be three such appointments during the present month, and one at least later.

**MARRIS COLLEGE OF HINDUSTANI MUSIC, LUCKNOW.**

\*53. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the grant allotted to—

- (1) the Marris College of Hindustani Music ;
- (2) the number of students in the college ;
- (3) the number of instructors ;
- (4) the pay of the instructors ;
- (5) the annual expenses and receipts of the college ?

**The Hon'ble Rai Rajeshwar Bali :** (1) Rupees 500 per mensem recurring ; Rs. 50,000 non-recurring towards the cost of buildings.

(2) 134.

(3) Seven.

(4) It ranges between Rs. 30 and Rs. 125.

(5) The income and expenditure for 1926-27 are estimated at Rs. 7,200 and Rs. 7,000 respectively.

\*54. **Dr. Shafa'at Ahmad Khan :** Do the Government intend to ask the Council to elect one or more of its members to the managing committee of the college ?

**The Hon'ble Rai Rajeshwar Bali :** No. The Music Association of India which manages the college is not a Government body, but an association registered under Act XXI of 1860. It appoints its own executive committee.

\*55. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what amount it has allotted for the Hindustani Academy this year ?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to paragraph 5 of Government resolution No. 61-G., dated January 20, 1927, published in Part VIII of the *Government Gazette* dated January 22, 1927.

**TOURS BY CERTAIN DEPARTMENTAL HEADS.**

\*56. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the number of days spent on tour last year by the following officers of the Government :—

- (1) Director of Agriculture,
- (2) Director of Public Instruction,
- (3) Director of Industries,
- (4) Inspector-General of Police,
- (5) Inspector-General of Civil Hospitals ?

**The Hon'ble Thakur Rajendra Singh :** (1) 233 days.

(3) 101 days.

**The Hon'ble Rai Rajeshwar Bali :** (2) The number of days spent on tour by the Director of Public Instruction during the financial year 1925-26 was fourteen.

**The Hon'ble Sir Sam O'Donnell :** (4) Ninety-seven days.

**The Hon'ble Rai Rajeshwar Bali :** (5) Seventy-six days.

\*57 to 59. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 28, 1927.*]

PUBLICATION OF ACCOUNTS FILED BY *mutawallis*.

\*60. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state why all the accounts filed by the *mutawallis* in the district judges courts have not yet been published as a supplement to the Government Gazette ?

**The Hon'ble Rai Rajeshwar Bali :** There is no provision in the Musalman Waqf Act, No. XLII of 1923, requiring or authorizing the publication of accounts in the Government Gazette. Section 9 of the Act, however, provides facilities to the persons interested to examine the accounts.

\*61. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 28, 1927.*]

COURT-FEE STAMPS FOR ACCOUNTS BY *mutawallis*.

\*62. **Dr. Shafa'at Ahmad Khan :** Are the Government aware of the fact that some district judges have insisted on court-fee stamps being affixed to the accounts filed by the *mutawallis* ?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to the answer given to starred question No. 22 on January 24, 1927.

\*63. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 28, 1927.*]

BILL TO AMEND THE ALLAHABAD UNIVERSITY ACT.

\*64. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they intend bringing in a Bill to amend the Allahabad University Act ? If so, when will the Bill be brought ?

**The Hon'ble Rai Rajeshwar Bali :** Government are unable to make any statement at present.

WETHERILL COMMITTEE REPORT.

\*65. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they intend allowing this Council to discuss the report of the Wetherill Committee before any action is taken by them on its recommendations ?

**The Hon'ble Rai Rajeshwar Bali :** Government will consider the matter.

SARDA CANAL.

\*66. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state—

- (1) the original estimate for the construction of the Sarda canal ;
- (2) the amount already spent on this project ;
- (3) the latest estimate for the canal ;
- (4) the amount spent last year on buildings for the officers of the canal ?

**The Hon'ble Sir Sam O'Donnell :** (1) Rupees 9,50,87,583.

(2) The expenditure to the end of March, 1926 was Rs. 4,38,77,000.

(3) Rupees 9,48,27,240.

(4) Rupees 75,642.

#### DAK BUNGALOW, BANBASSA.

\* 67. **Dr. Shafa'at Ahmad Khan :** How much money was spent on the rest house or dak bungalow at Banbassa constructed for the Irrigation department?

**The Hon'ble Sir Sam O'Donnell :** Two permanent inspection houses have been built at Banbassa. No. 1 cost Rs. 32,452 and No. 2 Rs. 24,261.

\* 68. **Dr. Shafa'at Ahmad Khan :** Who occupies the Banbassa building now?

**The Hon'ble Sir Sam O'Donnell :** No. 1 is occupied by senior and No. 2 by junior officers when on duty at the headworks of the Sarda canal.

#### GRANT-IN-AID TO CIVIL HOSPITAL, ALLAHABAD.

\* 69. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what amount has been sanctioned for grant-in-aid to Civil Hospital, Allahabad, this year?

**The Hon'ble Rai Rajeshwar Bali :** No grant-in-aid is given to Civil Hospital, Allahabad.

\* 70. **Dr. Shafa'at Ahmad Khan :** Did the hospital apply to the Government for grant for the purchase of X-ray apparatus? Was the hospital given any grant?

**The Hon'ble Rai Rajeshwar Bali :** A sum of Rs. 9,763 was provided in 1925 for setting up X-ray apparatus.

\* 71. **Dr. Shafa'at Ahmad Khan :** Is the Government aware that there is no X-ray apparatus in Allahabad, and patients have to come all the way to Lucknow to be x-rayed?

**The Hon'ble Rai Rajeshwar Bali :** No. There is one X-ray apparatus at the Allahabad University which is open to public on payment. Another X-ray apparatus has been recently installed at the Civil Hospital.

\* 72. **Dr. Shafa'at Ahmad Khan :** Do the Government intend to sanction a grant for the purpose?

**The Hon'ble Rai Rajeshwar Bali :** Does not arise.

#### VACANCIES IN INDIAN EDUCATIONAL SERVICE.

\* 73. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state how many vacancies there are in the cadre of the Indian Educational Service up to date?

**The Hon'ble Rai Rajeshwar Bali :** Fourteen.

\* 74. **Dr. Shafa'at Ahmad Khan :** Why have not vacancies been filled up?

**The Hon'ble Rai Rajeshwar Bali :** Because recruitment to the Indian Educational Service has ceased.



COURT OF ALLAHABAD UNIVERSITY.

\*75. **Dr. Shafa'at Ahmad Khan :** Did the Government nominate any person to the Court of Allahabad University last year or this year?

**The Hon'ble Rai Rajeshwar Bali :** The answer is in the negative.

\*76. **Dr. Shafa'at Ahmad Khan :** If the answer be in the negative, will the Government be pleased to state the reasons for this delay?

**The Hon'ble Rai Rajeshwar Bali :** The reason is that under the Allahabad University Act Government do not make appointments to the Court of the University.

SUBORDINATE MEDICAL OFFICERS' ASSOCIATION.

\*77. **Dr. Shafa'at Ahmad Khan :** (1) Will the Government be pleased to state if it is a fact that the Subordinate Medical Officers' Association was asked to elect a person to represent the private practitioners on the State Medical Faculty?

(2) If so, will the Government be pleased to state why private practitioners were not asked to elect their representative themselves?

**The Hon'ble Rai Rajeshwar Bali :** (1) There is no such body as the Subordinate Medical Officers' Association.

(2) Does not arise.

\*78. **Dr. Shafa'at Ahmad Khan :** For what reasons and on what grounds was a departure made this time?

**The Hon'ble Rai Rajeshwar Bali :** Does not arise.

BUDGET OF ART EMPORIUM, LUCKNOW.

\*79. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a copy of the last budget of Lucknow Art Emporium?

**The Hon'ble Thakur Rajendra Singh :** A copy is laid on the honourable member's table.

(See Appendix F, page 345.)

TECHNICAL SCHOLARSHIPS.

\*80. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the names and qualifications of students who were awarded technical scholarships for study abroad? Will the Government be also pleased to state the career of all students who have been awarded technical scholarships since 1921?

**The Hon'ble Thakur Rajendra Singh :** A statement is laid on the honourable member's table.

(See Appendix G, page 347.)

RENT OF CHHATAR MANZIL.

\*81. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what rent is paid for the Chhatar Manzil?

**The Hon'ble Sir Sam O'Donnell :** Rupees 4,000 per annum.

\*82. **Dr. Shafa'at Ahmad Khan :** [Withdrawn by the honourable member.]

DISTRICT INTELLIGENCE OFFICERS AND STAFF OF FINGER  
PRINT BUREAU.

**\*83. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state (1) the number of district intelligence officers in each district, and (2) the number of persons employed in the Finger Print Bureau and the allowances paid to the latter ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) A statement is laid on the honourable member's table.

(See Appendix H, page 348.)

(2) A statement is laid on the table.

(See Appendix I, page 350.)

DEPUTY COLLECTORS' TRAINING SCHOOL, MORADABAD.

**\*84. Dr. Shafa'at Ahmad Khan :** Have the Government decided to appoint a permanent principal for the Deputy Collectors' Training School at Moradabad ?

**The Hon'ble Sir Sam O'Donnell :** No.

**\*85. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay a statement on the table showing (1) the various classes taught in the school, and (2) the number of teachers in the school ?

**The Hon'ble Sir Sam O'Donnell :** (1) Revenue, civil law, judicial and police, treasury and local fund accounts, excise, stamp, co-operative societies, survey and soil classification, Government of India Act and election procedure, and language.

(2) There are four regular teachers, viz., the Provincial Training Officer and his three assistants. A few other teachers are temporarily employed to give instruction in special subjects.

**\*86. Dr. Shafa'at Ahmad Khan :** Do the Government contemplate appointing a permanent principal ? If not, why not ?

**The Hon'ble Sir Sam O'Donnell :** The matter is under consideration.

PARTITION AMIN.

**\*87 Babu Uma Shankar :** (1) Is the post of partition amin non-pensionable ?

(2) Does the Government intend to make it pensionable ?

(3) If yes, since when ?

(4) If not, why not ?

**The Hon'ble Sir Sam O'Donnell :** Yes.

(2) to (4) The honourable member is referred to the answer given to part (d) of starred question No. 121 asked by Babu Nemi Saran Sahib at the Council meeting held on March 12, 1926.

*Copy of starred question No. 121 (d) asked by BABU NEMI SARAN SAHIB, and its answer given on March 12, 1926.*

QUESTION.

(d) Is it the intention of the Government to consider the advisability of starting a fund out of this surplus and to make the post of partition amins pensionable ? If not, why ?

ANSWER.

(d) The partition staff employed varies considerably with the amount of work to be done. A provident fund, which is in force and to which Government contribute, is therefore more suitable than a pension fund, and answers the same purpose.

**UNSTARRED QUESTIONS**

1 to 14. **Babu Uma Shankar** : [*Postponed at the request of Government till March 28, 1927.*]

**CHAIRMAN AND MEMBERS OF FATEHPUR MUNICIPALITY.**

15. **Babu Uma Shankar** : Will the Government be pleased to inquire how many Hindus and Muslims have been nominated to the municipal board, Fatehpur, since 1923 ?

**Sir Ivo Elliott** : A Muslim was nominated in 1923 and a Muslim in 1925. No Hindus have been nominated.

16. **Babu Uma Shankar** : Will the Government be pleased to state the number of Hindu and Muslim elected members there ?

**Sir Ivo Elliot** : Five Hindus and four Muslims.

17. **Babu Uma Shankar** : Will the Government be pleased to state who was elected chairman of the board in 1926 ?

**Sir Ivo Elliott** : The board failed to elect a chairman.

18. **Babu Uma Shankar** : Is it a fact that the Government nominated the nominated Muslim for the chairmanship of the Fatehpur municipality in 1926 ?

**Sir Ivo Elliot** : Yes.

19 to 21. **Babu Uma Shankar** : [*Postponed at the request of Government till March 28, 1927.*]

**COW-SACRIFICE IN *Bakr Id* AT FATEHPUR.**

22. **Babu Uma Shankar** : Is it a fact that the cow-sacrifice on the occasion of *Bakr Id* was never performed in mohalla Chaudharana mosque, Fatehpur city, previous to 1925 ?

**Mr. G. B. Lambert** : No information is available.

23. **Babu Uma Shankar** : Is it a fact that in 1923 some Muhammadans attempted to sacrifice a cow in the said mosque ?

**Mr. G. B. Lambert** : No information is available.

24. **Babu Uma Shankar** : Is it fact that the Hindus of the locality protested against the innovation ?

**Mr G. B. Lambert** : No information is available.

25. **Babu Uma Shankar** : Is it a fact that the then district magistrate did not allow the cow-sacrifice in the said mosque ?

**Mr. G. B. Lambert** : No information is available. No such order of the district magistrate is on record.

26. **Babu Uma Shankar** : Is it a fact that the cow-sacrifice was performed in the said mosque in 1925 ?

**Mr. G. B. Lambert** : Yes.

27. **Babu Uma Shankar** : Is it a fact that the said mosque is surrounded on three sides by Hindu houses ?

**Mr. G. B. Lambert** : The answer is in the negative. There are both Hindu and Muhammadan houses in the vicinity.

28. **Babu Uma Shankar :** Is the Government aware that Hindus made protests against the said sacrifice in 1925 ?

**Mr. G. B. Lambert :** Yes, a few Hindus did protest, after the sacrifice was over.

29. **Babu Uma Shankar :** Is it a fact that the Muhammadans were not allowed to sacrifice the cow in the said mosque in 1926 ?

**Mr. G. B. Lambert :** No order of prohibition was passed. The Muhammadans were asked not to sacrifice the cow in the mosque which is dilapidated and exposed to view from the outside. They had the good sense to accede to this reasonable request.

30. **Babu Uma Shankar :** Is it a fact that the district magistrate allowed the cow sacrifice in the vicinity of the said mosque in 1926 ?

**Mr. G. B. Lambert :** Yes. Sacrifice was allowed inside the private house of a Muhammadan.

31. **Babu Uma Shankar :** Is it further a fact that the sacrifice was never performed there also ?

**Mr. G. B. Lambert :** The answer is in the negative. The sacrifice was performed in the same house in 1923 and 1924.

32. **Babu Uma Shankar :** Is it also a fact that the Hindus made representation and protested against the said innovation ?

**Mr. G. B. Lambert :** A few Hindus led by the honourable member protested.

33. **Babu Uma Shankar :** It is a fact that a large number of Hindus were challaned in connexion with the alleged *Bakr Id* riot at Faridpur, district Fatehpur ?

**Mr. G. B. Lambert :** Yes, a number of Hindus were prosecuted.

34. **Babu Uma Shankar :** Will the Government be pleased to state the number of the persons challaned ?

**Mr. G. B. Lambert :** Forty-five.

35. **Babu Uma Shankar :** Is it also a fact that the trying magistrate pronounced judgement on September 30, 1926, the *Matru Naumi* holiday ?

**Mr. G. B. Lambert :** Yes.

36. **Babu Uma Shankar :** Is it a fact that several Hindus were convicted on the same day ?

**Mr. G. B. Lambert :** Yes.

37. **Babu Uma Shankar :** Is it further a fact that one Ram Dhani Vaish was also challaned and prosecuted along with others ?

**Mr. G. B. Lambert :** Yes.

38. **Babu Uma Shankar :** Will the Government be pleased to say if Ram Dhani was convicted or acquitted ?

**Mr. G. B. Lambert :** Acquitted.

39. **Babu Uma Shankar :** Is the Government aware that Ram Dhani in spite of acquittal was locked up in jail as a convict and treated as such along with real convicts ?

**Mr. G. B. Lambert :** Yes.

40. **Babu Uma Shankar** : Will the Government be pleased to give reasons why Ram Dhani was sent to jail after acquittal along with the convicts ?

**Mr. G. B. Lambert** : The accused were paraded to separate the accused who had been convicted and those who were acquitted. Ram Dhani Bania appears to have changed his position and taken a place among the convicts. He was thus sent to jail through his own fault. The mistake might have been detected at the time, but for the disorderly behaviour of the accused persons and the consequent need for their rapid despatch to the jail. The mistake was detected the next morning and Ram Dhani was ordered to be released forthwith.

41. **Babu Uma Shankar** : Is it a fact that Ram Dhani was given jail diet on September 30 and October 1, 1926 ?

**Mr. G. B. Lambert** : He was given jail diet in the evening of September 30 and morning of October 1.

42. **Babu Uma Shankar** : When was the said Ram Dhani released and how ?

**Mr. G. B. Lambert** : He was released at about midday on October 1. As regards the second part of the question, the honourable member is referred to the answer to question No. 40.

43. **Babu Uma Shankar** : (1) Will the Government be pleased to state what steps the Government took against the officer who sent Ram Dhani to jail on September 30, 1926 ?

(2) If not, why not ?

**Mr. G. B. Lambert** : (1) and (2) the Government do not consider any steps were necessary. The mistake was the *bond fide* mistake of a deputy magistrate and the reasons for it have been explained.

44. **Babu Uma Shankar** : (1) Does Government now contemplate to take any action ?

(2) If not, why not ?

**Mr. G. B. Lambert** : (1) The answer is in the negative.

(2) The honourable member is referred to the answer to unstarred question No. 43.

#### KIDNAPPING OF A MINOR HINDU BOY AT FATEHPUR.

45. **Babu Uma Shankar** : Is it a fact that a criminal case of kidnapping a minor Hindu boy was instituted in 1926 against M. Mohi-ud-din Khan, Tahsildar of Fatehpur, and three others ?

**Mr. R. L. Yorke** : Yes, but the case was dismissed.

#### DISTRICT BOARD GRANT TO ISLAMIA SCHOOLS AND MAK TABS, BASTI.

46. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state what amount, if any, has been allotted to the Islamia schools and *maktabs* by the district board, Basti ?

**Kunwar Jagdish Prasad** : Rupees 13,300 recurring and Rs. 2,629 non-recurring.

## ADMISSION OF STUDENTS TO MEDICAL SCHOOL, AGRA.

47. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the number of (1) Muslim, (2) Hindu and (3) Christian students admitted to the Agra Medical school in (1) 1921, (2) 1924 and (3) 1925 ?

**Sir Ivo Elliott :** The following statement gives the number of Muslim, Hindu and Christian students admitted to the Agra Medical school in 1921, 1924 and 1925 :—

		<i>Muslim.</i>	<i>Hindu.</i>	<i>Christian.</i>
1921	...	18	49	1
1924	...	18	60	2
1925	...	17	57	1

## BUDGET, 1927-28.

## DISCUSSION OF DEMANDS FOR GRANTS.

## Demand No. 1.

## HEAD 22—GENERAL ADMINISTRATION.

**Pandit Govind Ballabh Pant :** I beg to move a (token) reduction of Re. 1 be made under sub-head "(3) —Travelling allowances."

I am glad that we are making an auspicious beginning today. The motion that I am making is one which will probably receive the support of most, if not all, of the members sitting here. They have to discharge a heavy and responsible duty in carrying on their work as the elected representatives of this province and they find that they have not been able to get as much time as they desired to give effect to the popular view-point. One of the reasons which stood in the way was the move of the Government in the summer to Naini Tal, a very wise move as I consider it, though I do not know whether my convictions in the matter are not influenced by parochial considerations. Whatever be the reasons, I am satisfied that the Government should always adopt such a course as would enable them to take a detached, patriotic and cool view of the affairs with which they have to deal. So I am suggesting that this privilege should be shared with the Government by those under whom the Executive Government serve and that is the members of this Council.

It is perhaps not very convenient, either for the members or for the Government, to arrange a meeting here in the summer or rains to deal with questions, the paramount importance of which cannot be exaggerated. So I suggest that a session of the Council should be held at Naini Tal in the course of this year, and also every year hereafter. The resolution that I am moving today I daresay is not completely an outcome of my own personal predilections, for motions of this character were made when I was not in this House and those by gentlemen who cannot be supposed to have any sort of bias for the hills.

**Pandit Iqbal Narayan Gurtu :** Artificial bias.

**Pandit Govind Ballabh Pant :** I am glad to know that and I hope that Mr. Gurtu will cultivate it and it will develop into a natural bias in course of time. In the first Council a resolution of this character was

passed and that was the Council in which the intellect of the province is believed to have been fully represented. In the second Council too, after we had withdrawn from this House, a similar resolution was passed at the instance, I believe, of Mr. Saifi. So I suggest today that a session should be held in Naini Tal.

**Pandit Badri Dutt Pande:** It may be supposed that I support this motion because I am a hillman. No, that is not the case, I am going to support it as a practical man and I may say as an honourable man I mean an honest man. Everybody wants to go to the hills and even my esteemed and respected friend Mr. Chintamani when he was part and parcel of the Government used to go to the hills. If he had practised *satyagraha* and not gone with the Government, I think we could have understood his reasons, and those members who went up last year for one month, if they had believed in the downhill Government and not in the hill-top Government we could have understood the position. But everybody wants to go to the hills, whether a zamindar or a *rais*, or a councillor. I have serious differences with those benches opposite, but in the matter of going to the hills the Englishman and the hillman sail in the same boat. *Rishis* and *monis* favoured the hills and they wrote those books which are still the wonder of all and I may say that our mental, moral, and even spiritual salvation lies in the Himalayas. Even Mr. Kunzru, who said that the Government should not go to the hills, admitted:—"I do not doubt that it is possible to work more efficiently in a cooler climate". And as regards the expenses, the Hon'ble Pandit Jagat Narayan as he then was said "Those members who wish to make the plains the headquarters must take care as to whether or not more expenditure will be incurred. My suspicion is that the expenditure will be greater. What I find is that the people who stay at Lucknow simply because Lucknow is not the headquarters of Government they get halting allowances and travelling allowances. You forget that point. Before you accept the resolution or become jubilant over the fact that during the three or four months the headquarters will be at some other place in the plains you must be sure of the financial position." That was what he said and he spoke the truth. There is not much expenditure on this account and any expenditure incurred on health, whether it be of the Government or of the members, I think it is expenditure incurred for a good purpose and even Mr. Chintamani, when he finds that the punkah is somewhat hot, when *loo* is blowing, leaves the Leader to the care of his assistant and runs off to the hills. Everyone of us wants to go to the hills. It is only the poor clerks who cannot go to the hills. But others are going to the hills, every high officer is going to the hills. I do not say that it is a luxury. I think it is a necessity in this twentieth century and I plead also for the poor clerks. For those benches opposite, there is the Lee Commission and there is Parliament to fight for them, but for the poor clerks there is nobody to fight. I think a few rupees spent on these poor clerks, when we are giving—or rather are being forced to give—1½ crores for the high officers, should not be grudging and when their case comes before the honourable House, it will be sympathetically received. We will be working more efficiently there. Last year we did a lot of good work during the one month that the Council was held there. I think the hill-top Government is a good one and it was an unhappy hour when the resolution was moved that the

[Pandit Badri Dutt Pande.]

Government should remain down hill. I hope we will discuss the matter calmly and coolly as we do in the hills and not with the heat of the plains. With these few words I support the resolution of my honourable friend the member for Naini Tal.

**The Hon'ble the President:** I should like to hear now the other side of the story, if any, because we are discussing the budget and it is no use repeating the same arguments over again on one side.

*The Hon'ble the President waited for some time, but nobody rose.*

*The Hon'ble the President then called on the Finance Member.*

**The Hon'ble Sir Sam O'Donnell:** As the Council knows, the dates and duration and places of sitting of the Legislative Council are determined by His Excellency the Governor, and for that reason I do not propose to express any opinion on this proposal nor do we propose to take any part in the voting should it come to a vote. The opinion recorded by the non-official members will, of course, be on record and will be a matter for consideration of His Excellency the Governor.

**Pandit Govind Ballabh Pant:** I have nothing more to say. I am thankful to honourable members, who seem to be in agreement with the motion either on its merits or on account of their consideration for the views of those with whom they do not see eye to eye, and also to the Government. I will only request and hope that the Hon'ble the Finance Member will bring the matter to the notice of His Excellency the Governor.

**The Hon'ble the President:** Should the motion be put to vote? There is no opposition.

**Pandit Govind Ballabh Pant:** Yes, Sir. I should like it to be put to vote.

The Hon'ble the President put the motion to the House with the remark, that the motion was moved with a view to bring to the notice of the Government the necessity of holding a session of the Council at Naini Tal during the rainy season.

*Motion adopted.*

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I beg to move a (token) reduction of Rs. 1,001 under sub-head "A—Provincial Legislative bodies."

By moving this token reduction I want to bring to the notice of the Government the question of the increment in the non-official days. The number of days that have hitherto been allotted to us has always been very inadequate and unsatisfactory. This is one of our legitimate and standing grievances since the very inauguration of the reforms. It was on April 1, 1921, that one resolution was tabled by my friend, Pandit Gokaran Nath Misra, and the then Finance Member gave a very sympathetic reply, even though the resolution wanted that the Council should be held in eight months out of twelve. Then, Sir, another resolution was brought before the House on practically the same lines, but it was privately given to understand that as it restricted the number of days in every month, it would be unsuitable to many honourable members and so if a resolution demanding a limited number of days for a whole year was to be tabled it would be more acceptable. On that understanding



the resolution was dropped. Since then the matter has been brought before the House every time during the budget but no consideration has been shown to it.

Sir, during the course of the last three years two requisitions were also made, one as far as I remember, in 1925 on the initiation of the *Swaraj* party for holding a session of the Council and another by the members of the Progressive party in August last. But, Sir, we received a set type of answers every time. The result of it was that nearly half a dozen Bills out of which three or four, as far as I know, were in their final stage, were allowed to lapse. No non-official days were given during the last August session in 1926, nor was any session held in October as was anticipated. The poor tax-payer's money that was spent upon those Bills that were allowed to lapse, I think, will come to about forty to fifty thousand rupees, but the Government never cared to consider this point. Those Bills will have to be brought again during the lifetime of this Council. So much money and energy have been wasted for nothing. Sir, we have come here not for voting the budget demands and the supplementary estimates alone whenever they are required but to do some other business, the business of the millions of electors whom we represent. If we do not get sufficient time to ventilate their grievances, it is no use for us to come to the Council. The money that is demanded by the Government can be taken as passed without our presence, if we are not allowed sufficient time to do public business.

I therefore once more bring it to the notice of the leader of the House that he may find his way to have more days allotted for the non-official business in the present and future years.

Sir, there was another extraordinary thing this year. Since 1921, we used to get some non-official days (two or three) before the budget session or in the interval of the presentation of the budget and the voting of demands, but this year we have not got even that. Then, Sir, we do not know whether we shall get any days at the end of the budget session for non-official business or not, and, if so, what will be their number.

**Pandit Bhagwat Narayan Bhargava :** Instead of moving my own motion I would like to support the motion of my friend, Mr. Mehrotra.

**The Hon'ble the President :** As the amount mentioned in the motion of Mr. Mehrotra is only a token one, I think the honourable member had better move his motion as an amendment.

**Pandit Bhagwat Narayan Bhargava :** I move that instead of a reduction of Rs. 1,001, a reduction of Rs. 10 be substituted.

Sir, sufficient has been said by Mr. Mehrotra on the point which was raised in his motion. The natural reply which we shall get from the Hon'ble the Finance Member will be that it rests entirely with His Excellency the Governor to allot the number of days for non-official or official business. It is not in ignorance of that fact that we bring up this matter again and again before the Council, but for the reason that we want to impress upon the Governor in Council that the duty which is cast on him is not being carried out satisfactorily and according to the wishes of the non-official members of this House. I am sure the Hon'ble the Finance Member at least is consulted by His Excellency the Governor in fixing days for non-official business. I make this statement

[Pandit Bhagwas Narayan Bhargava.]

the authority of the evidence of an ex-Minister before the Muddiman Committee. Yesterday, the Hon'ble the Home Member was pleased to say in reply to Mr. Chintamani's motion—these were his words :—

“ We in deference to the wishes of this House held a meeting of the Council at Naini Tal.”

What did he mean by the word “ we ”? That is for him to explain. I think by “ we ” he meant either the Executive Councillors or the Governor in Council. That in itself shows that Executive Councillors are certainly consulted by His Excellency the Governor in the matter of fixing dates for non-official or official business. Such being the case, I think it is up to the Governor in Council or the Executive Councillors to impress upon His Excellency the necessity of responding to the wishes of the House in this connexion.

**Rai Bahadur Thakur Hanuman Singh :** I rise to support the honourable mover and to say that I agree with what he has said. It is a standing grievance that the Governor allots a very small number of days for non-official business and this grievance has continued since a long time ; I may even say, since the inauguration of the reformed Council. I hope His Excellency will see that our wishes are met in future in this respect so that no such complaint may arise.

After saying this, I desire to draw the attention of the Government to the fact that in the provision for “ Legislative bodies ” is included an item of Rs. 10,000 for the members deputed to the Legislative Assembly and the Council of State. This amount, I presume, is meant for the travelling and halting allowances of those members who represent this Government in the Legislative Assembly and the Council of State. When the Central Government pays all such expenses to the elected and nominated members, there appears to be no reason, Sir, why should this Government pay the travelling and halting allowances at Simla or Delhi of the members who represent it in those two legislatures.

I hope the Government will consider the point which I have just brought to their notice and ask the Government of India not to charge the expenses incurred by this Government on account of their representatives in the Assembly and the Council of State.

**Babu Bhagwati Sahai Bedar :** I do not mind whether the Government or anybody else goes to the hills or hell. I wish only to point out that more meetings of this honourable House should be called. Last time when a resolution was moved on this subject the Hon'ble the Finance Member was pleased to remark that only the professional politicians wanted the extension in the number of the Council meetings, and that nobody else wanted it. I thought that it was a remark on the Swarajists, because they had no other work to do but to agitate against the Government, and hence during the budget discussion I moved that the daily allowance be reduced by Rs. 2 a day. But it was argued by Nawabzada Muhammad Yusuf Sahib who occupies the Ministerial Chair today, that he did not mind if the whole allotment were deleted. Then I moved an amendment saying that no allowances whatever, either travelling or daily, should be given to the members of Council. But that too was rejected. The danger of money being

drawn by the professional politicians being over now, I hope the Hon'ble the Finance Member will very kindly extend his sympathy in this direction and accept our views. Moreover, Sir, the Government says that in July and August they are unable to hold meetings because of rains, while in summer they are not likely to hold the Council at Naini Tal, chiefly because it is expensive, so there are only four months left within which this Council can assemble. Since the Hon'ble the Finance Member is going away from this province I hope this last act of justice he will do before his departure.

**The Hon'ble Sir Sam O'Donnell :** As the Council is aware, the fixing of the duration of the session rests with His Excellency the Governor. It is not a matter which is regulated by Government. And in so far as this motion means—I take it that that is the essential meaning of it—that a larger number of days should be allotted in the current year for meetings of the Council, then I express no opinion whatever on it. It has been suggested however that an insufficient number of days were allotted in the past. On that point I have something to say. I find that there has been a difference between the statements made in the speeches in this Council and what in practice the Council desires. On several occasions in the past there have been motions similar to this, and a few honourable members have expressed keenly the desire for the allotment of a larger number of days, and the rest of the Council has acquiesced. But in practice what has happened? Last year the number of non-official days was unusually small for two reasons—partly because of the Agra Tenancy and Land Revenue Bills and partly because of the new elections. I do not agree with Mr. Mehrotra that anyone except a very minute fraction of the Council desired that the Council should meet last October. My impression is that in that month the members of the Council were actively engaged in their constituencies and would not have desired a session of the Council in October. Let us see what happened in that year. Of the days allotted for non-official business in the last Council I find that there were three on which the Council had to be adjourned for want of a quorum.

**Pandit Nanak Chand :** What about the official members ?

**The Hon'ble Sir Sam O'Donnell :** There are about a hundred non-official members, and if there are not as many as 25 members who are prepared to attend, it cannot be said that the non-official members as a body are particularly anxious for more days. Even in 1925 the same thing happened and on one occasion the Council adjourned for want of quorum. Therefore I say that it does appear to me that there is difference between the remarks made in the speeches on this subject and what in practice the Council really desires. I do not think, in the last Council, at any rate, the non-official members, taken as a body, were anxious for more days.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** The arguments that the Hon'ble the Finance Member has advanced are not new. He has simply repeated what he said during the last budget discussion. My answer to him is the same that I gave him on that occasion. No doubt the Council had to be adjourned on two or three days for want of quorum. But it was due more to the tactics of the Government whipping than to the want of interest in the other side. There was strong whipping, Sir. The members were taken outside and were persuaded not

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to come outside the hall. So there was no quorum. Besides this, those were the last days of the session when some of the honourable members were anxious to go back to their places and according to the timings of the trains for their convenience they had to leave the Council chamber a little earlier. Therefore it was certainly not due to want of interest on the part of non-official members but it was due to some other causes which I have related. For these reasons I do not see my way to withdraw the motion.

**The Hon'ble Sir Sam. O'Donnell :** I have just this much to add. As I said before, there are about 100 non-official members in this Council, and it is obvious that if they as a body desire more days the Council could never be adjourned for want of quorum during non-official days. The second point which I want to make clear is this. I think this motion refers essentially to the allotment of days in the current year. I take it that what the honourable member desires is that more days should be allotted in the coming year. On that understanding I neither accept nor oppose the motion because it is a matter which is entirely within the discretion of His Excellency the Governor.

**The Hon'ble the President :** Do I understand it aright that the object of the mover of the motion as well as the amendment is to emphasize the desirability of having a larger number of days for non-official business ?

[Several honourable members having assented.]

**The Hon'ble the President :** That being the case, I put the amendment of Pandit Bhagwat Narayan Bhargava to the House first. The amendment originally moved was that a reduction of Rs. 1,001 be made, to which an amendment was moved that the demand be reduced by Rs. 10 instead. The question is that under sub-head "A—Provincial Legislative bodies" the demand be reduced by Rs. 10.

*Question put and agreed to.*

*The original motion of Rai Bahadur Lala Mathura Prasad Mehrotra was accordingly not put to the House.*

**Mr. C. Y. Chintamani :** I beg to move a substantive reduction by Rs. 33,000 of item concerning (2) pay of establishment (page 13 of the Detailed estimates) under sub-head "A—General Secretariat."

My object in making this motion is to urge the abolition of a department of the Secretariat known as the Appointment department. I am not aware whether there are such departments in the other provinces. If there are and if it further be a fact that never before in this Legislative Council was a motion made for the abolition of a department of the Secretariat, I am afraid that the Hon'ble the Finance Member in his reply may again characterize this motion as a most extraordinary one. It may be. The one general reply that I would make to all such criticisms is that if no such motion had been made elsewhere or here in past years, it was because I am not elsewhere and I was not here in past years. Now, Sir, I will say briefly my reasons for advocating this step. It is understood to be a fact that generally, appointments and matters pertaining to appointments, such as postings, transfers, and the grant of salaries, are handled by each department in the case of its own officers. I

was informed the other day by one who was likely to be in the know that in former years the Appointment department in the Secretariat was concerned with much more business than it has of late been transacting and that it had to deal with appointments of all all-India services and not merely of those with which it is now concerned. Actually for some time now, for how much time I cannot exactly tell, the Appointment department has only had to do with the gazetted officers of the Revenue, Judicial, and Police departments. I will read an extract which will show what is the nature of the business which the Appointment department has got to do. "Allowances, appointments, conduct and dismissals, death reports, joining time, leave of all kinds, postings, promotions, retentions or retirements, salaries, suspensions, transfers and travelling allowances of the gazetted officers of the Revenue, Judicial, and Police departments." Besides, it has to do with the Civil List, departmental examination of junior officers, indexing of the United Provinces Gazette, naib-tahsildars, tahsildars, direct appointments and Government nominations and the training class for junior officers at Moradabad. The Appointment department is under the Chief Secretary and the Hon'ble the Finance Member; but, of the three departments with which it has to do, the Judicial and the Police departments are in charge of the Hon'ble the Home Member. I wish to know whether it is a fact that, although the Hon'ble the Home Member is officially in charge of the Judicial and Police departments, all matters pertaining to the appointments of the Imperial Service officers in the Judicial and Police departments are regulated, not by him, but by the Finance Member. If it is not a fact, then one part of my criticism will disappear. But if, as I suspect and as I have reason to think, it is a fact, then it is not right that, while one member of the Executive Council is in charge of certain departments, certain important matters relating to those departments should be not under his control but under the control of the other member of the Executive Council.

I put a question upon the subject and had hoped that I would get the answer in time for this discussion, but as that has not happened I put the question now. If the answer to that is that it is not the Finance Member but the Home Member himself who controls the Appointment department of the Secretariat for purposes of Judicial and Police departments, one part of my criticism, would as I have said, disappear.

When the appointments in other departments are attended to by the respective Secretaries, how does it happen that in the case of the Revenue, Judicial, and Police departments a separate Appointment department is required in the Secretariat; and do the other matters, such as Civil List, departmental examination and indexing of the United Provinces Gazette, require a separate department? It will be astonishing if the answer be in the affirmative. Naib-tahsildars and tahsildars are in the Revenue department. There is a revenue branch in the Secretariat. It should be for that branch to attend to them and the other matters mentioned here should be for the General Administration department. Let it not be thought that this Appointment department does not cost a good sum of money. The annual cost in the year 1922 was put at Rs. 33,320, of this one department in the Secretariat.

But I have found from the same compilation that this department is not one of those which have to do the heaviest work. Actually it has

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been officially stated that the reserved departments have but little more work than they used to have before the introduction of the present system of government. I think that every branch of the Secretariat has a little more work than before, but probably the increase has been much more on the transferred than on the reserved side. It may be that the addition of a few clerks in some of the other departments among which the work, which is now done by the Appointment department, may be distributed, may be necessary. I do not know. But assuming it to be necessary, that can be managed at a very little more cost than is now being incurred on this department, and this Rs. 33,000 can certainly be saved. I am content at this moment to rest my case on the arguments I have put forward. If anything happens to be said by the other side in replying to me—I assume that Government will oppose the motion—then it will be for me in replying to them to take notice of their objections.

**The Hon'ble the President :** How did the honourable member arrive at the figure of Rs. 33,000 ?

**Mr. C. Y. Chintamani :** This is based on the information which has been obtained by me.

**The Hon'ble the President :** Is the whole of it voted ?

**Mr. C. Y. Chintamani :** Yes, the whole of it is voted.

**The Hon'ble Sir Sam O'Donnell :** The first point that I wish to make is that the honourable member for Partabgarh proposes to omit the whole provision for the Appointment department and proposes to make no provision whatever for carrying on the work of that department. Apparently, he supposes, that the work could be distributed over the other departments without making any increase in their establishments. I say that this is an assumption for which there is not the slightest justification. There would be no reduction whatever in cost if the work of the Appointment department were split up and distributed among the various departments. His second point was that he failed to understand why there should be a separate department like the Appointment department. This department does not deal with the appointments of all services: it deals only with the appointments the services which the honourable member mentioned—the posting of the I. C. S. executive officers, judicial officers, provincial executive officers, and provincial judicial officers and those in the Police department. But the essential reason for retaining the Appointment department is that it deals with all service questions of a general character. The Chief Secretary is the adviser of the other departments on service questions of a general character. There are many such questions which constantly arise, and it is desirable that there should be uniformity, so far as practicable, in the treatment of them. At any rate, they should be dealt with on broad general principles, and therefore the Chief Secretary on this matter is the adviser of the other departments. That is the main justification for retaining this department and calling it the Appointment department. The last point which the honourable member made was that the appointments in the Judicial and Police departments should be regulated by the Hon'ble the Home Member. The distribution of work between the

various members of Government is made by His Excellency the Governor. He allots the various portfolios, and the Appointment department is in my portfolio. To what extent any other member of the Government is concerned is a matter of internal administration regarding which I can make no statement.

**Mr. C. Y. Chintamani:** It has been remarked that I move for the omission of the entire sum which is now spent upon the Appointment department and do not make any allowance for necessary staff in any other departments among which the work may be distributed. There is in this, I take it, an implicit admission that I have stated the cost of the Appointment department, at all events, approximately correct.

**The Hon'ble Sir Sam O'Donnell:** I did not say that it was stated correctly.

**Mr. C. Y. Chintamani:** Well, Sir, that suits my purpose equally well. If the Hon'ble the Finance Member does not admit that this is the approximate figure of the cost of the Appointment department, then there is no force in the criticism that I have made no allowance for any addition to the establishment elsewhere.

**The Hon'ble Sir Sam O'Donnell:** This was the amount . . .

**Mr. C. Y. Chintamani:** My information in 1922 was that this was the approximate cost of the department in that year. I have no information now. In order to allay the suspicions of honourable members opposite, if there are any, I may say that in 1922 the information was known to all non-official members of the Council who cared to know it because it was part of the proposals relating to retrenchment and economy. The cost may have risen since then. It may not have. I am not prepared to admit that such rigid economy is practised in the administration of the Secretariat that if Rs. 33,000 is taken away from the provision that is made, they will not be able to find a comparatively small amount, which I hold will be all that is required, in order to make small additions to the establishment in other departments, which alone, I again say, will be all that is required. I am astonished by the Hon'ble the Finance Member's proposition that, assuming the Appointment department is abolished there will be no saving at all. The whole of the money that that department now costs will have to be spent on other departments to which its work is transferred. That is not the experience anywhere where a department is abolished and its work is distributed among other existing departments. He next made a point which was extremely interesting and also extremely valuable. He said:—"The Chief Secretary is the adviser of all other departments in respect of all matters of a general nature affecting these appointments." I object to that arrangement. The Chief Secretary may be euphemistically described as the adviser of other departments when they want advice. We all know, Sir, what the meaning of the word "adviser" is in official parlance. And assuming the Appointment department is abolished, the Chief Secretary will still be there. Honourable members opposite have never accepted my contention that there is no necessity for a Secretary designated as Chief Secretary. In any case the Chief Secretary or any other Secretary will still be there; there will be somebody in charge of these matters and that somebody will always be available for advising other departments.

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whenever they may stand in need of such advice. Therefore, the fact that the Chief Secretary is an adviser of other departments is no argument in support of the maintenance of the department called the Appointment department.

Lastly, the Finance Member said that the Appointment department is in his own charge and not of the Hon'ble the Home Member. It was urged that it is His Excellency's prerogative to distribute business among his colleagues. But without going beyond the rules which govern our conduct here and without uttering a word of criticism in regard to His Excellency the Governor, we are entitled to say that a member of the Government who is here in charge of certain departments should not be divested of a material part of the duties, the responsibilities and the powers which are attached to the position which he holds. If the Hon'ble the Home Member is in charge of the department of Law and Justice, if he is in charge of Police, it stands to reason that he should also be in charge of appointments in those departments. Here it so happens that ever since the new system of Government came into being, the Home Member has been an Indian, he has been in charge of Law and Justice and Police, and yet the Imperial Service appointments in those departments have not been in his hands; he has been deprived of a legitimate and important and essential part of the duties of his office. This is a matter for legitimate criticism by this Council. I should have thought that it was only those members of the Government who are in charge of the so-called "secondary departments" departments which are transferred because they are not valuable enough to be reserved, those inferior members of the Government who are in charge of secondary departments might have been deprived of some essential rights which should belong to members of the Government. I did not think that one trusted enough to be in the inner sanctum called the Governor in Council should also be deprived of one of the most important and essential functions of the department to which he belongs. The speech of the Hon'ble the Finance Member has, I am grateful to say, strengthened the case for my proposition.

The Hon'ble Sir Sam O'Donnell; The honourable member for Partabgarh seems to have misunderstood what I said regarding the question of cost. The honourable member proposed the omission of the sum of Rs. 33,000. He did so because he believed that Rs. 33,000 represented the whole cost of the Appointment department. Whether it does represent the whole cost or not is a matter on which I have not had time to make inquiry; it may or may not represent the whole cost; the figure may or may not be correct; the point is that the honourable member for Partabgarh wished that the whole figure, whatever it may be should be omitted.

**Mr. C. Y. Chintamani:** Rupees 33,000.

**The Hon'ble Sir Sam O'Donnell:** Well, the honourable member selected Rs. 33,000 because he believed that Rs. 33,000 represented the whole cost. That is the point, and I say that it is absurd to attempt to reduce the whole cost. The work has got to be done and by this redistribution there will be no savings whatever. On that point I am prepared to pit my experience in the Secretariat against the honourable member's. I do not deny that he has had some experience, but I have



had experience of the Secretariat for something like thirteen years. Then the honourable member seemed to take objection to the term Appointment department. Whether the department is called the Appointment department or by any other name is really a small matter. The essential reason for having a separate department is that this department not only deals with the appointments in particular departments—the district officers, commissioners, provincial executive service, provincial judicial service and district and sessions judges—but it is the general adviser of all departments on general service questions. There are many such questions that are continually rising and it is necessary to have an expert department to advise the other departments on these questions. It is highly desirable that such questions should be dealt with according to stable principles and as far as practicable on uniform lines. That is the justification for having a separate department. I may mention also that I have just ascertained that there are Appointment departments in Bengal and Bombay. Those provinces are very advanced provinces, and yet it does not seem to have occurred to any politician in Bengal or Bombay that there was anything anomalous in the existence of the Appointment department. As to the distribution of work between the members of the Executive Council, that is a matter entirely within the discretion of His Excellency the Governor. It is regulated by him. I did not say that the Home Member had no concern with certain appointments. I said that this department was in my portfolio and that the extent to which any other member was concerned was a matter of internal administration on which it was impossible for me to make any statement.

*The motion was put and the Council divided as below :—*

*Ayes, 50; Noes 43.*

*Ayes.*

Pandit Rahas Bihari Tiwari  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sundar Lal.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Thakur Pratap Bhau Singh.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.

Pandit Shri Sadayatan Pande.  
Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Raja Raghuraj Singh.  
Mr. O. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Hafiz Muhammad Ibrahim.  
Khan Bahadur Saiyid Jafar Husain.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Chaudhri Niamat-ullah.  
Mr. Muhammad Habib.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mashuca Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab, Muhammad  
Ahmad Sa'id Khan.

The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.

## Noes.

Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. K. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Colonel G. Tate.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Thakur Bikram Singh.  
 Raja Kushal Pal Singh.

Rai Bahadur Babu Abhinandan Prasad,  
 Sirdar Nihal Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Kunwar Surendra Pratap Sahi.  
 Mr. Zahur Ahmad.  
 Haji Abdul Qayum.  
 Mr. Muhammad Abdul Bari.  
 Saiyid Tufail Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Lieut. Nawab Jamshed Ali Khan.  
 Nawabzada Muhammad Liaqat Ali Khan.  
 Lieut. Khan Bahadur Nawabzada Abdul  
 Sami Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan,  
 Shaikh Abdullah.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Khan Bahadur Shaikh Sayid Muhammad  
 alias Maiku Mian.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Mr. E. M. Souter.

**Pandit Govind Ballabh Pant:** I beg to move a (substantive) reduction by Rs. 10,000 of item concerning travelling allowance (Rs. 35,000) (page 14 of the Detailed estimates).

Honourable members will please notice that the grant provided under this head in the budget estimate of 1926-27 was Rs. 67,900 in all. For the next year the provision comes to Rs. 94,000 out of which Rs. 76,000 is votable and 18,000 non-votable. That gives roughly an increase of about Rs. 27,000 in the total. They will further see that last year, so far as the non-votable is concerned, it comes to Rs. 20,000, while next year it is Rs. 18,000, so that there is a reduction of Rs. 2,000 in the non-votable expenditure as compared with the provision under the column revised estimate of 1926-27. But the same comparison shows that there is an increase of about Rs. 11,000 under voted. So looking at these figures from these view-points and having carefully examined the Financial Secretary's memorandum I do not find any justification whatsoever for this increase of about Rs. 27,000 under the head of travelling allowance. But I have not moved a cut of Rs. 27,000 as I would have been entitled to do, but have reduced it by Rs. 10,000, so that I might not look very extreme.

There is another point, and that is a point of inquiry. In order to avoid my getting up again about it, I will put the question to the Hon'ble the Finance Member in this connexion and I hope he will favour me by giving a reply. This head also includes travelling allowance on account of the members of the Executive Council and Ministers. It is on that account that I am putting that question. Recently I saw in the papers the note that this Government sent its opinion on the Currency Bill about the question of ratio of exchange, and I find in that note that it was the opinion of His Excellency in Council that the ratio of the exchange should be at 13d. I have no objection to the opinion which any member of the Government holds and he is entitled to express it. What I want to know is that whether in this connexion the Government obtained the opinion of the transferred half and whether it was not a question in which they too were interested and why they were ignored. In case they got their opinions why they were not communicated to the Government of India?

**Mr. E. A. H. Blunt :** The honourable pandit has juggled with figures in a very pretty way; I am going to juggle with them in another way. The budget allotment for this year is Rs. 94,000. From this, he should in all fairness deduct the Rs. 8,000 on account of the cost of passages, which is a perfectly new charge and which in former years was met in another way altogether. We are left, therefore, with Rs. 86,000.

**Pandit Nanak Chand :** Is that increase under non-voted or voted?

**Mr E. A. H. Blunt :** I am taking the two together. Last year they were not sub-divided. Rs. 86,000 is the total cost on account of allowances. The revised was Rs. 85,000, whilst the actual expenditure in 19-5-26 was nearly Rs. 83,000. Where, therefore, there is room for a cut of Rs. 10,000 I do not quite see. This item, I may say, covers not only the travelling allowances of the Secretariat proper, but also the travelling expenses of Ministers, i.e., this figure of Rs. 35,000. I think I may say that last year they travelled rather less than usual, being occupied with their elections. Next year probably they will travel more. I very much doubt if there is room for any cut at all. However, I am prepared to take a risk. If the honourable member will go fifty-fifty with me, I will accept a cut of Rs. 5,000 on condition that if we find that we cannot finance the travelling expenses, we either come back with a supplementary estimate or meet them by re-appropriation. I move that for the figure 10,000 the figure 5,000 be substituted.

**The Hon'ble the President :** Is there any objection?

*Permission was granted.*

**Mr. E. A. H. Blunt :** I move that the figure of 10,000 be reduced by 5,000.

**The Hon'ble Sir Sam O'Donnell :** The honourable member referred to the opinion of this Government on the Currency Bill. I am afraid I cannot see what connexion there is between the ratio question and the travelling allowance of members of the Executive Council or of the Ministers. It does not seem to me, that whether the members of the Executive Council and the Ministers travelled or did not travel, that fact is likely to have any influence or any bearing upon the decision on the rate at which the rupee is to be stabilized. In any case, it relates to the internal administration of the Government and, therefore, is not a matter on which I can make any statement.

**Pandit Govind Ballabh Pant :** As to the ratio of exchange having no bearing on the motion before the House, I have only to say that when passage allowances and things like that are included in these demands, then they have a bearing on every item that is before us. So I think mine is not an irrelevant query. But apart from that, there is a constitutional standpoint from which I look. If the answer is not satisfactory, we will make a cut somewhere to express our dissatisfaction. But, however, I can read between the lines of the answer of the Hon'ble the Finance Member and whether he agrees with me or not, I would interpret him as saying that my statement was substantially correct and that being assumed, I do protest against the unconstitutional procedure adopted by the Government in that respect.

[Pandit Govind Ballabh Pant.]

The Governor in Council cannot allocate to himself the full title of the government of these provinces.

Now, as to the amendment of Mr. Blunt, well, he has in fact juggled with the figures in his own way, and I could have shown that he has done so, but he has always been known as a juggler and, lest he should somehow entrap me further hereafter, I accept his amendment so far as I am personally concerned; I do not know what is the view of the rest of the House.

*The motion that Rs. 35,000 be reduced by Rs. 5,000 was put and adopted.*

**Mr. C. Y. Chintamani:** I move a (substantive) reduction by Rs. 12,500 of the item concerning House rent and other allowances under sub-head "A—General Secretariat (4) Allowances and honoraria."

In one word, the reason for my making this motion is apparent on the face of that item at page 11 of the Detailed Estimates—House rent and other allowances. The budget estimate for 1926-27 was Rs. 10,500; the budget estimate for 1927-28 is Rs. 23,000. The column of revised estimate as well as of actuals for 1925-26 has been left blank as in most other places in the Detailed Estimates. As it is only the aggregates of the actuals of 1925-26 and of the revised estimate of 1926-27 which are given here it is impossible for us to make a comparison between the amount spent upon this item in 1925-26 and what is considered to be probable for 1926-27. It has been felt by myself and many other members here that it is a very great inconvenience that no information on these details is available under the head "actuals" and under the head "revised estimates," and, if in the absence of such information we take the figures at their face value and draw the inference to which they lead, I hope we shall not be held to blame. For the reasons I have stated I make this motion.

**Mr. E. A. H. Blunt:** I will begin by explaining why there are no details about the revised and actuals against this item. This is entirely due to the system of accounts. We do not keep figures for these items. We keep them only by the sub-heads, or the primary units, as we used to call them. They have not been kept for any smaller items for three or four years. And if we are to give these details work will be doubled and the cost will be greatly increased. It has always been supposed that the primary unit, which relates to important items, was sufficient for the information of the members of the Council. At the same time I can always, though with some difficulty, supply information on any item if necessary. As regards this particular item, it is really a matter of chance that the figure appears to have increased since last year. The figure, in years previous to 1926-27, was the figure as it appears in the proposed budget for next year, Rs. 23,000. It represents the allowance given to clerks in Naini Tal and Lucknow. Last year there was some question of abolishing the allowance for Lucknow, and for that reason the figure was reduced in the budget. Since then Government have decided to continue that allowance, and therefore that figure has simply re-appeared in the budget which was there in every year except the last year. There is no real increase at all.

**Mr. C. Y. Chintamani:** The accounting explanation given by the Finance Secretary for the omission of information of which I have complained may be quite satisfactory from the accounts point of view, but it does lead to more discussions on the floor of the House than might otherwise be necessary because we are puzzled very much, indeed, by the absence of that information. I myself am very far from claiming to be a capable student of finance or of accounts; I do nothing of the kind, but I may state as a simple fact that I have read nearly every budget statement of the United Provinces Government ever since Sir Thomas Holderness presented the first budget under the constitution of 1892, and if after reading all of them I am greatly puzzled by many of the omissions as well as entries in these figures, I have no doubt even men, competent men who, however, for no fault of theirs happen to be younger in years and therefore have not read the same quantity for such a long period, may be still more puzzled. I make no proposal. I leave it to the financial pandits to consider which would be the more economical—to supply the information or to have many more discussions than might otherwise be necessary.

Coming to that item the explanation has been given that Naini Tal and Lucknow allowances are responsible for the figure that is included in the budget for 1927-28. My personal opinion on both the allowances—the Naini Tal and Lucknow allowances—is not merely known to honourable members, I am afraid it is notorious. I am not repentant at all for holding that opinion; I have not changed it, and I say to those who are already hopeless about me that I am not likely to alter it. At the same time, without prejudice to my liberty of pressing the point on other occasions whenever I may think it the proper time and place, without prejudice to that liberty, I will oblige the Government and the Finance department by asking the leave of the Council to withdraw this motion.

*The motion was, by leave of the Council, withdrawn.*

**The Hon'ble the President** (to Shaikh Muhammad Habib-ullah): Is the cut proposed in motion 47 a substantive cut or a token one?

**Shaikh Muhammad Habib-ullah:** It is a substantive cut, Sir. These appointments were made as a result . . . .

**The Hon'ble the President:** Will you begin by saying that you move the motion?

**Shaikh Muhammad Habib-ullah:** I beg your pardon. I beg to move the omission of Rs. 80,836 in the item concerning Inspector of Offices (page 8 of the Detailed estimates).

The cost of the maintenance of this office which I now propose to omit from the budget was not met out of the funds of the province as a new charge. It was the result of a retrenchment measure. A few years ago, when the Retrenchment Committee made inquiries, they decided upon the reduction in district and other offices of the posts of many hands, among whom were the general superintendents attached to the courts of district officers for inspecting the revenue work of the clerical staff. These reductions brought about a substantial saving, and it was out of this and other savings that the Government decided to appoint staff of inspectors for the inspection of district and other offices in order not to let the work of the clerical staff go down and also with a view

[Shaikh Muhammad Habib-ullah]

bring about a better and more expeditious method of clerical work and effect economies, if possible. The results achieved by the Chief Inspector justified the measure then adopted by the Government in making these appointments. So far as I understand I find that these officers have been making useful reductions not only in the volume of work but in other directions, and they have been able to effect economies which sufficiently justified the amount which the Government spends on their salaries.

Sir, in making this suggestion I had to think of the past history of these officers, their present work and their need in the future. There is no doubt that they have got a very detailed knowledge of the smallest routine work of every department under Government, and they have during the last five years made considerable improvement in the expedition and curtailment of the routine work of offices. Sir, my suggestion might appear paradoxical when I appreciate the work of these officers and at the same time I come forward with a motion that the amount which has been put down in the budget for their salaries should be omitted. I have got my reasons for this, and I place them before this House.

Appointments of this nature periodically are really good; they serve a useful purpose, as they have done in this case; but one has got to guard against the danger which lies in the deterioration of knowledge of routine work among heads of departments and their assistants in future. Sir, take the case of a district. We have got there now an officer called the superintendent of the office, who does the combined duties of head clerk and general superintendent, which posts were abolished. Then we have got in every district gazetted assistants to help the district officer in the inspection and other work of the district. Then there is the district officer himself. Well, Sir, all these officers must know the routine of their offices. If they do not know the routine they cannot control their offices. If, however, we keep on officers to go and inspect these offices and leave the district officers alone to rely on their help, then I am afraid they might become inactive and their energies might go in the wrong direction. District officers have ample time for the work. For instance, district officers have been relieved absolutely of the work of municipal and district boards; the work of income-tax is practically nil or nominal; they have got now very little to do with treasuries. Thus they have ample time to go about and inspect their offices many times a year.

And then his assistant, or at least a couple of assistants, so far as I understood, are always in charge of one or other part of the district offices, and they do inspect them. Of course, they are not so clever and so expert as this professional inspecting staff, but five years is quite ample for having a substantial record of the drawbacks which they have noticed in the work of the district clerical staff. They must have made suggestions for economy; they must have made suggestions for expediting work; they must have made suggestions to find out leakages, to introduce economies so as to save extravagance in expenditure on the routine of district work, etc. I gather that they have made tremendous economies. In fact, one can now see that an envelope can be used four times. Similarly in stationery and in other directions they have made a considerable saving. The whole question is whether this period of five years is

quite sufficient for these gentlemen to effect economies or whether their further retention is necessary. It is a question of fact, and I am absolutely open-minded on this point. If I am told that the retention of these gentlemen is necessary for further improvement in work and for further economies well, I am prepared to accept that, but so long as I am not convinced that the retention of these gentlemen for a further period is necessary I am of opinion that the posts should be abolished. The district staff should run their own machinery. It is no use keeping these people to oil the machinery and keep it going. If they are left to themselves with their own resources they will do much better and will not rust. But if we let them doze about idly and waste their time they may deteriorate and their efficiency may be impaired. A sum of Rs. 80,000 is not a small sum. This expenditure can only be justified on the ground that it is usefully employed. We are told the other day, Sir, that the charge of the Reserved departments on the funds of the provinces is a primary one. I do not mind such a charge being a primary charge; but if it is not an improvement certainly the charge should be omitted and the money can be employed on some nation-building work.

There is another thing which I wish to say. These district people have been left at the mercy of outside inspectors for five years. They do some sort of inspection, but they leave the main part of the work to be done by these people. In fact, they are kept on a patient's diet, and if they are kept on this diet they will ever remain convalescent. In these circumstances, unless and until a sufficient explanation is forthcoming for the further retention of these inspectors their services should terminate. Far be it from me to say that these people should be thrown out of employment. I understand that they are all drafted from Government service, and certainly it should be the duty of the Government to re-employ them not only on the same salary, but if they have done better work to give them better jobs.

**Mr. E. A. H. Blunt:** Thanks to the hum of voices in other parts of the building I had some difficulty in hearing what the honourable member was saying. I think he attempted to establish two points: one was that the presence of these inspectors acted as an inducement to the local officers not to inspect themselves. The second point was that these inspectors had by now done all the good they could do. As regards the first point, if it is true—and I really can never believe that the local officers do not carry out their duty of inspection because they know it will be done for them by the inspector—surely that is only another reason for keeping the inspector, we shall then want him to inspect the local officers; and they have as much right to inspect the collector as to inspect the clerk. In fact, if it is true that these officers are neglecting their duties, then we must have the inspectorate as a custodian of the officers themselves.

The second point is that these inspectors have now done all the good they could do. I am afraid I must disagree there with the honourable member. In the first place, he has spoken as if these inspectors inspect only the district offices. As a matter of fact, they inspect practically all offices of all the departments in the province, from the Secretariat and the Board of Revenue downwards. The only offices which are free from their inspection are the judicial offices, for sufficiently obvious reasons. It may be true that they have already done all the good that is possible

[Mr. E. A. H. Blunt.]

in the district offices though I doubt it greatly. But they have by no means completed their work in other offices, and I can tell from the reports that come to me that there is still ample scope for improvement. These inspectors are certainly wanted, not only now but, I should say, for another five or ten years. Indeed, when they have done their work as the honourable member suggests is already the case you will still want somebody to keep the offices up to the mark. Unless you have constant inspection all the good they have done in five or ten years will disappear in two. There is no time, so far as I can see, when we shall be able to do without this inspecting staff. I may also point out that if we remove these inspectors we shall have to put somebody else in their place. This staff, costing Rs. 80,000, has replaced the staff of general superintendents which cost two lakhs. Which is cheaper? Finally, I should like to quote a remark of the Auditor-General. This is the comment that he makes on an audit irregularity. He says: "This case illustrates the value of full audit on the spot of the books of an institution of this kind. The Local Government appears to possess in the Chief Inspector of Offices a valuable agency for this purpose." I believe we are the only province which possess this particular kind of valuable agency, and I beg the honourable members of this House not to deprive us of it.

**Shaikh Muhammad Habib-ullah:** I expected a more satisfactory explanation from the Hon'ble the Finance Secretary. I thought he was going to give us facts and figures showing real economy as a result of the appointment of the Inspectors of Offices. But he has disappointed me. I said that the staff of the district might deteriorate if they were allowed to rely on these inspectors to look after their offices. For this he said that it was all the more necessary that these inspectors should be retained. I did not know in the beginning that a staff drawing a salary of Rs. 400 to Rs. 1,500 should be appointed to look after and keep in good order the members of the Imperial services of whom there is already one in each district. As I have already said these men are experts in inspection work. In fact, they can talk down any man in their work, including I believe the Finance Secretary himself. But the main point is, is their retention justified? I regret to say that the reply of the Finance Secretary has not convinced me at all, and so I submit to the House that under this head a sum of Rs. 80,000 can as well be saved for use in nation-building departments. I hope the Council will accept my motion.

**The Hon'ble Sir Sam O'Donnell:** I am sure that my honourable friend, who has been a district officer, would not have moved this motion if he had really understood the facts. The appointment of the Inspector of Offices and his establishment has been one of the most successful experiments made in recent years. It has undoubtedly saved us a considerable sum of money. I regret that I have not got the details here, but it must be remembered by the Council that we receive very late notice of the various motions for reductions. We do not know all the points that are likely to be raised by honourable members. We cannot be expected to have all the detailed figures at our finger's ends. But Mr. Blunt informs me that even in the first two years this establishment saved the Government 2½ lakhs, and it is undoubtedly



a fact that if this establishment were abolished we should have to re-appoint the general superintendents at a cost of two lakhs. It is perfectly true that it is the business of district officers and other officers to inspect their offices, and, as a matter of fact, they do so. Every one, however, who has been a district officer knows that a district officer cannot make the same close and detailed inspection of his office as can be made by the inspecting staff. I should, indeed, be very surprised to learn that the honourable member, when he was a district officer, made an inspection as close and as detailed as the assistants of the Inspector of Offices do. It is quite true that the work of district officers has been reduced in some directions, but it has increased in others. At the present moment it is not less, but more trying and more arduous than it was ever before, and the time of a district officer is fully taken up in larger matters than the minute inspection of all the clerks in his office. As Mr. Blunt has explained, the inspection of the Inspector of Offices and his staff is not confined to district officers. It embraces a large number of other offices in the province also. The establishment of the Inspector of Offices has further to look into the *tagavi* accounts. I hope the honourable mover will bear me out when I say that there are several districts where these accounts are in a state of confusion, and it is most important if money is not to be lost and opportunities for oppression are not to be given to the subordinate staff that the *tagavi* accounts should be kept in good order. And we are finding that by the appointment of some inspectors attached to the Inspectors of Offices we are gradually getting them into good order. I maintain, therefore, that this is one of the most successful experiments that we have made in recent years; that it has saved us considerable sums of money, and that its abolition would not be a true economy, but that it would be a false economy. I trust that this will satisfy the honourable member.

*The motion was put and negatived.*

**Pandit Govind Ballabh Pant Sahib:** I beg to move a reduction of Rs. 10,000 under sub-head "Local Fund Audit" amounting to Rs. 1,47,223. The honourable members of the House will notice, if they turn to page 16 of the Detailed estimates, that the total expenditure incurred by this province over the Local Fund Audit service came to Rs. 1,09,311 in the year 1925-26 to Rs. 1,18,400 in 1926-27, while for the next year the provision is Rs. 1,47,223. I am referring here to the votable items. There are some figures just below the non votable items, and they, too, have gone from Rs. 17,583 to Rs. 20,600. During the current year, according to the revised estimates, the expenditure of a non-votable type amounted to Rs. 11,300 only, but during the next year the amount provided is Rs. 20,600. There is thus an increase of, roughly, Rs. 12,000 even on the revised figures for this year, and, as compared with the figures of the actuals of 1925-26, there is an increase of about Rs. 40,000. Partly, this is due to the fact that the Government of India used to make a contribution for this purpose, and, as the services that were rendered by the department on behalf of the Government of India are no longer done, the Government of India contribution has now come to an end from April, 1926. But even that contribution amounted to about Rs. 29,000 only, while the net increase amounts to about Rs. 40,000.

There is another point, and I wish to make this clear at the outset. The Government of India have taken over their accounts from the Local Fund Audit department, and to that extent this department is

[Pandit Govind Ballabh Pant.]

relieved of the duties which it used to perform on behalf of the Government of India. If the Government of India have ceased to make their contribution they have also ceased to use the department for their own purposes. There is, therefore, now no reason why there should not be a reduction in the staff. The Government of India contribution came to about Rs. 30,000, and I assume that the work that they got out of this department was of that value. So that the work done by the department on behalf of the Government of India came to something like one-fourth or one-fifth of the total work. There should thus be a reduction of one-fourth to one-fifth in the cost of establishment, which is Rs. 1,47,000. The total provision should not be more than Rs. 1,10,000. As I have, however, submitted, while the work has been reduced, the cost has gone up considerably. That is the first point. As I have asked for a modest reduction, of Rs. 10,000, I am sure that Mr. Blunt will find no difficulty in accepting my motion.

There are other matters connected with Local Fund Audit to which, with your permission, Sir, I may refer. In this connexion I wish to invite the attention of the House to the report of the Local Fund Audit for the last two years. It is a very important document, and I want the Hon'ble Minister in charge of Local Self-Government to take a special note of the observations made by the Examiner, Local Fund Audit. While on the one hand, I am jealous that local bodies should have a complete control over their own affairs, I am very keen on the point that the administration of their affairs should be clean, pure, and neat. The state of affairs disclosed by the report of the Examiner, Local Fund Audit, is not a flattering one. I think that the state of affairs revealed there is, in certain respects, so very grave that it is necessary for the Hon'ble Minister of Local Self-Government to hold a private and confidential conference with some of the chairmen of the local bodies in order to find out the necessary measures to meet this evil. I will not take the time of this House by reading out extracts from the report, but I can say that some of the notes are of a very amusing character. If I do not use a stronger term I have consolation in this connexion when I see that in my own district the Examiner, Local Fund Audit, found that the accounts of the Sat Tal, Bhowali, and other notified areas and district board which are under the management of non-official chairmen and non-official elected members were in a satisfactory condition; while the accounts of the notified areas which are under the management of permanent officials were in a very bad condition. Specially in respect of the Ramnagar notified area the criticisms are of a trenchant character. I would, therefore, request Government to take a note of the fact that the accounts of the notified areas that are under non-official chairmen in my district are in a much better state than those of the notified areas presided over by officials. In this connexion I will also invite attention to another point, which shows the disposition of the permanent officials whenever there is a move for the popularization of any body. I may refer to the Ramnagar notified area about which the report shows that on December 31, 1924, the chairman overdrew the total amount that stood to the credit of the notified area, and I will be borne out by some questions and answers that I put at that time. In consequence of some sort of persistence or insistence on

my part the Government had ultimately consented to transfer the control of the notified area committee, Ramnagar, to a non-official chairman. And immediately this man went out the then official chairman of the notified area committee began to squander and exhaust the accumulated balances of the notified area committee. I put some questions inviting the Hon'ble Minister's attention to this matter, and he was pleased not only to tell me that the chairman had full authority to use the balances, but spent them according to the needs. I see, Sir, from this report that the treasury once dishonoured a cheque issued by the chairman because there was no money at their disposal. I also find from that report that the chairman at the time he left the notified area did things which are open to objection. If you will be pleased to read the report you will find that he did things which cannot be easily overlooked by any responsible Government.

**Thakur Manjit Singh Rathor :** Who was the chairman ?

**Pandit Govind Ballabh Pant :** I am not going to give the name. If any person wants to know it he can look into contemporaneous records. The matter relates to December of the year 1924-25. And I request the Hon'ble the Finance Member to read the remarks of the Commissioner and the Local Fund Audit and to see how the chairman handled the money, the funds of the committee, and how he mismanaged the affairs of that committee because they disclose not only a sort of carelessness, but something worse than that. I will leave it to him to take notice of this, as it was one of their own men who was conducting the affairs of the notified area committee at that time.

**Thakur Manjit Singh Rathor :** Was he an official or non-official ?

**Pandit Govind Ballabh Pant :** Well, I think he wants me only to repeat what I have said in the course of my speech. He was an official.

The other point to which I want to invite the attention of the Finance department in this connexion is this that the Local Fund Audit is officered by two men, that there are two persons who control this whole department. They are Messrs. Butler and King. Mr. Butler had gone on leave for eight months. I assume that he has come back. I may not refer to the old history of the matter in order to show as to why or when these men were appointed. But it does seem a bit disappointing that even in the Finance department where arithmetic and figures are above race and creed in every way and where the number of Indians, qualified and competent, has never been found to be inadequate for both the Local Audit department as well as the other department of pay and accounts, officers should be all non-Indians. Mr. Tennant and Mr. Deane, who are the controlling officers in the Accounts department of pay and accounts, were also imported and were appointed under exceptional circumstances. I mean in the ordinary course both of them would not have been where they are now. I will explain the situation further should the Finance department consider it necessary to repudiate my remarks. It seems to me to be a bit disappointing, as I said, that Messrs. Butler, King, Deane, and Tennant who are in charge of the financial departments under the control of the Provincial Government should all be non-Indians when there is such a large number of qualified accounts officers in the Government of India as well as in the country. I understand that Mr. Butler's term has come to an end. I also understand that Mr. King had already

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had five extensions, and the Government may give him one more. But I would ask the Government to consider the claims of Indians and make efforts to get at least one Indian from the Government of India in case they borrow the services.

**Mr. E. A. H. Blunt:** I will first deal with the matter of figures. I think the simplest way of getting at the facts is to exclude this reduction altogether, to treat it as if it were not there, because then you will get the actual cost of the department, meaning thereby the money that is actually paid on their account. If you do that you will find that in 1925-26 the figure was Rs. 1,58,000. The budget estimate of 1925-26 was Rs. 1,64,000 and of 1927-28 Rs. 1,68,000. There is an increase, therefore, of about Rs. 6,000 between the year 1925-26 and 1926-27 and another increase of about Rs. 4,000 between the last two years. Well, as it happens, curiously enough, the entire increase in both the years is due entirely to the need for leave allowances which is concealed in 1926-27 to a certain extent; but the actual reason why the figure went up last year was that we might give some of our men leave. And the increase in the current year is due to precisely the same cause—that is, in fact we have put down under the pay of officers Rs. 4,000 for leave allowances. These men are very hard-worked, and I am sure the Council will not grudge them their leave. But as it happens, I can again offer the honourable member a compromise. If he will look at my memorandum on page 20 he will see that I have explained that as the present examiner is going on leave we do effect a certain saving. The principal figures become Rs. 22,000 voted and about Rs. 1,000 non-voted, making Rs. 23,000 against Rs. 31,000, so there is a saving of about Rs. 8,000 against the Rs. 10,000 which he wants. I presume he does not want another Rs. 10,000 on the top of that. But my saving is in the non-voted, his is in the voted, and consequently the only way to effect this compromise is for him to withdraw this motion, and if he will withdraw that motion I can undertake to meet him to that extent. He raised the point of the increase of the non-voted and voted expenditure. Well, that is explained simply by the fact that Mr. Butler was on leave last year and has come back this year. That involves an increase under non-voted expenditure, though the figure will now be reduced because he is going. As regards the appointment of particular officers to particular posts Mr. King is not a member of an all-India service. He is going to officiate as examiner till his time is up, which is within the near future, and an Indian officer is coming in his place. As regards the other two officers, I would prefer not to say anything about them, for the very good reason that it is irrelevant to this particular question.

**The Hon'ble Nawab Muhammad Yusuf:** I thank the honourable member for Naini Tal for making some constructive proposals which I am sure will be helpful to me. I am particularly thankful to him for making a suggestion to hold a conference of chairmen of local bodies with a view to remedy the evils that have crept into the administration of some of these local bodies. I am fully aware of the fact that notified areas in the hill districts have done quite well, and I have noted it with very great satisfaction, indeed. I shall look into the matter that he has brought to my notice and see what I can do.

**Pandit Govind Ballabh Pant:** Mr. Blunt, it seems, is not to be satisfied by small cuts. What I had suggested was a very modest amount altogether. The expenditure in 1922-23 was only Rs. 59,232; in 1923-24 it was only Rs. 92,000; in 1924-25 it was 1,09,000, and now it has jumped to Rs. 1,47,000. At that time we used to get a contribution of Rs. 30,000 from the Government of India, so that while in the year 1925-26 the expenditure that we incurred was about Rs. 80,000 now it has gone up to Rs. 1,67,000, if I take voted and non-voted together. In the circumstances when I asked for a cut of Rs. 10,000 in the voted amount I simply made a suggestion which it seemed to me no reasonable man could have possibly refused. However as he does not see his way to accept my demand I am sorry that I do not find myself in a position to accept his amendment.

**The Hon'ble Sir Sam O'Donnell:** Mr. Blunt has explained the position. I think he has shown quite clearly that there is nothing to object to in the total sum for which we are asking. And the honourable member for Naini Tal will agree that it is most important that the inspection of Local Fund accounts should be carried out in a thorough fashion. We have not the slightest desire to spend more money than is necessary, and I am quite sure that we are not spending more money. I think it will be false economy to reduce this department, the importance of which he recognizes. He invited my attention to the accounts of the Ramnagar notified area. Well, really that is a matter with which the Hon'ble Minister for Local Self-Government is concerned rather than I. I have, however, just got hold of the report. I have looked through it. I do not know who was the President of the notified area—whether he was the sub-divisional officer or the peshkar, but I must confess that the revelations about Ramnagar did not strike me as in any way as terrible as some of the revelations about much more important bodies which are scattered over the report. It appears that they were dilatory in collecting a tax on circumstances and property and to that was due the fact that a certain cheque was dishonoured. It appears that the notified area had the misfortune of having a superintendent who was prosecuted for falsification of records, and it appears that the superintendent was also responsible for loss of money over a *kharanja*. I do not know what a *kharanja* is. I agree that the state of affairs there is not satisfactory, but I think that if the honourable member had wished to select a horrible example of Local Self-Government and to hold it up for our instruction he could easily have found much worse cases than the Ramnagar case.

*The motion that Rs. 1,47,000, under Local Fund Audit, be provided was put and the Council divided as below:—*

*Ayes, 48; Noes 36.*

*Ayes.*

Pandit Rahas Bibari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bader.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.

Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.

*Ayes.*

Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.  
 Raja Sri Krishna Dutt Dube.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Raja Bahadur Bishwanath Saran Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Rai Bahadur Pandit Sankata Prasad Bajpai.  
 Mr. C. Y. Chintamani.

Maulvi Zabur-ud-din.  
 Hafiz Muhammad Ibrahim.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Khan Bahadur Saiyid Jafar Husain.  
 Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Mr. Muhammad Habib.  
 Rai Bahadur Munshi Ambo Prasad.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Li-ut. Nawab Muhammad Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Colonel G. Tate.

Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Mirza Muhammad Sajjid Ali Khan.  
 Khan Bahadur Mr. M. sud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Raja Kushal Pal Singh.  
 Rai Bahadur Babu Abhinandan Prasad.  
 Sirdar Nihal Singh.  
 Mr. Zuhur Ahmad.  
 Mr. Muhammad Abdul Bari.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Lieut. Nawab Jamshed Ali Khan.  
 Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
 Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
 Chaudhri Niamat Ullah.  
 Mr. St. George H. S. Jackson.  
 Mr. E. M. Souter.

*The Council here adjourned for lunch.*

*After the recess.*

**Mr. C. Y. Chintamani:** I beg to move a (token) reduction of Rs. 100 under sub-head "A—General Secretariat (1) Pay of officers." The first item in this to which I have to invite the attention of honourable members is the item relating to the Chief Secretary. I have long held opinion, to which I came as the result of much consideration of the subject, that there is no case for the retention of the office of Chief Secretary to the Local Government.

**The Hon'ble the President:** The Chief Secretary is non-voted.

**Mr. C. Y. Chintamani:** I am only mentioning it as one of the appointments to be brought under discussion. It is a token motion.

**The Hon'ble Sir Sam O'Donnell:** Is it admissible?

**The Hon'ble the President:** This is a token motion under Pay of Officers, and, while discussing the pay of officers, he can speak on the redundancy of a certain officer, but he cannot touch the Chief Secretary's salary because that is non-voted.

**Mr. C. Y. Chintamani:** It is true that every Local Government in India has had and continues to have a Chief Secretary. As I am certain that this point will be urged against me by the Hon'ble the Finance Member I may save him the trouble by mentioning it myself. I will further mention, so that he may not have to repeat it, that the

advanced politicians of the advanced presidencies of Bengal and Bombay do not appear to have made a similar motion in either of their Legislative Councils. But I may mention, for the information of the Hon'ble the Finance Member, that the opinion that there should be no Chief Secretary has been expressed by the politicians of both those presidencies, and also of the other provinces, more than once since the reformed system of government came into being. Let me say here that when I speak of the abolition of the post of Chief Secretary all that I mean is that the post should be converted into a post of a Secretary to Government just as other Secretaries to Government. If there are Chief Secretaries in other provinces it is noteworthy that there is no Chief Secretary to the Government of India; that there is no Chief Secretary to the Government in England; nor, perhaps, in many other countries. When the province was governed by a single Lieutenant-Governor, when there was no Council Government, when the whole idea of Government was bureaucratic or autocratic, or a combination of the two, it was quite intelligible that the Lieutenant-Governor should have sought to have a confidential adviser in the person of the Chief Secretary. In fact, the importance which was attached to this position by at least one head of the Local Government was illustrated dramatically on a certain occasion in the unreformed Legislative Council when the Hon'ble Finance Member was present in the capacity of judicial secretary. As a member of that Council, who even then was addicted to this evil habit of bringing forward many motions not to the taste of the Government, I happened to move a resolution and, as the result of discussion, I offered to the Lieutenant-Governor a compromise solution. The Lieutenant-Governor summoned the Chief Secretary, who was sitting beside by, and after a little consultation he got up and what he said in open Council was :—

“I thought I could meet the wishes of the honourable member, but as the Chief Secretary, who is the conscience-keeper of the Government, objects to it, I cannot give effect to my wishes.”

This illustrates what the Chief Secretary stands for in this Local Government or in any Local Government. I am emboldened to say “any Local Government” because of what happened before the Muddiman Committee at Simla in 1924. My friend, Lala Harkishen Lal, who was Minister in the Punjab for the best part of three years, stated in his evidence that in that province under the present system there were not only a reserved and a transferred half of the Government, but there were really four Governments. There was the Governor, who was a Government in himself; next there was the Governor in Council; next there were the two Ministers without joint responsibility, and the Governor acting with either Minister was a Government. Then Lala Harkishen Lal added: “But there is a fifth, and that is the Chief Secretary, the super-government.” The Chief Secretary is in charge of certain departments; other secretaries are also in charge of certain departments. These secretaries with reference to each department have their respective chiefs among the members of the Government. I do not understand why one among these secretaries should be glorified as the Chief Secretary and not only receive additional emoluments, but also enjoy a higher status and, in truth, as everybody knows, exercises larger powers. If small items of economy are not to be dismissed as

[Mr. C. Y. Chintamani.]

negligible and unworthy of consideration, my proposal can be commended on that ground. But, more than that, I commend it to the Council on political grounds—constitutional as well as administrative. I think then the character of executive Government will improve. The change will be in the right direction, if there is not one secretary in whom is concentrated the power, not certainly specified in the law, either contemplated or not contemplated by the law, but actually possessed and exercised in fact. The Chief Secretary, as was pointed out by the Hon'ble Finance Member in a speech earlier in the day, advises other departments in certain matters, and I took the liberty of saying in connexion with that observation of his that this word "advise" should be understood as it was understood not infrequently in official parlance. In a constitutional system of Government there is no place for a Chief Secretary. Our present Government is really not constitutional. You may say it is fractionally constitutional; you may say it is unconstitutionally constitutional, but it would not be fully constitutional as long as any one secretary continues to occupy the privileged position which the Chief Secretary does possess in the Local Government.

The next point that I wish to bring up in this motion is that there should be an increase in the number of Indian secretaries and deputy secretaries. In the year 1917 it was that an Indian was first admitted into the sanctuary of the Secretariat. First it was an Under Secretary who was appointed. He was followed by an officer on special duty who developed into a secretary. Between 1917 and 1920 one out of four civilian secretaries to the Government was an Indian, and one out of four under secretaries to the Government was an Indian, so that, not mentioning the Public Works department Secretariat with which we have nothing to do at this moment, 25 per cent. of secretaries and under secretaries were Indians. From 1921 onwards the position has changed. For some time one out of six secretaries was an Indian; but it might be said there were a number of assistant secretaries, and assistant secretaries, under secretaries, deputy secretaries and secretaries, all taken together, there was a respectable number of Indians. But when in 1923 there came the Secretariat re-organization scheme, and the post of assistant secretary was practically abolished, the number of Indians diminished. In that year there was a proposition, which unfortunately was not actually moved, but it was on the agenda of one of the sittings of the Council; it stood in the name of Mr. Kunzru. That proposition embodied the modest request that in every branch of the Secretariat there should be an Indian as secretary or deputy secretary or under secretary. If I understood aright, the idea was that Indian influence should pervade the Government in all its branches by one or another of the incumbents of the position of secretary, deputy secretary, and under-secretary being an Indian. That idea has been with us for the last ten years. Now in 1927 we have one Indian out of five as secretary, and I believe two Indian deputy secretaries out of five. The modest suggestion that I would make—I fear the modesty of the suggestion is not likely to commend itself to my honourable friends here (pointing towards the Swarajist benches)—is that two out of five secretaries should be Indians and three out of five deputy secretaries should be Indians. In that case out of a total of ten, five will be Englishmen and five Indians. I put it to honourable members oppositè



whether this is a suggestion which they can discard as unpractical or extravagant or unreasonable. I shall be told very probably by the Hon'ble the Finance Member in choice language that the Government have never been moved by racial considerations, that always their policy has been to select the best available man. That will continue to be their policy. I may say, politely but frankly, that that explanation will no longer satisfy us; that explanation has long since ceased to satisfy us; it has grown stale with repetition and in our view it contains no substance; for our view is that ever since 1833 (94 years ago) when the British Parliament, in a fit of generous indiscretion, enacted a certain section doing away with race distinctions in the public services in India, during all these 94 years this explanation has done duty with the Government, rarely have they failed to find the best available men among their own countrymen, honestly, and conscientiously, I do not attribute any motive to them, but they have the same human instincts as others, and there is a trite saying that "blood is thicker than water." There are political considerations, there may be other considerations. It was admitted by more Local Governments than one at the time the Montagu-Chelmsford Reforms were under discussion that the illiberality of the British Government in the treatment of Indians with respect to appointments to superior offices in the public services had not a little to do with the momentum that the movement for Swaraj had gathered. I do not mean to say that we would have been content if more administrative offices had been given to us, but I only mention it to show that even in the opinion of those gentlemen, not surely over-liberal or over-radical, who constituted the provincial governments before these reforms, even in the opinion of some of them the British Government's treatment of this subject has not been statesmanlike or satisfactory or liberal.

Incidentally, I would say in one sentence that it is rather curious that no Indian has ever been selected to fill the important position of Finance Secretary. My honourable friend over there, I hope, will not misunderstand me.

Now I have one question to put. There is at page 13 of the Detailed estimates an entry—"Government Reporter, 1926-27, 5,330." There is nothing in any other column about that. I am curious to know what this Government Reporter was, what he reported, for whom he reported, why he figured only in that year and in no other year, and why he has disappeared with regard to the next financial year.

As regards "officers on special duty" a provision of Rs. 8,000 is made here. I only hope the Government will be more moderate in the use of that power to appoint officers on special duty than in my view they have always been. But the main issue in this motion is—Indians in the Secretariat and the conversion of the post of chief secretary into that of an ordinary secretary.

**Khan Bahadur Hafiz Hidayat Husain:** I have a similar motion in my name, No. 33. I beg to move a token reduction of Rs. 10 under the entire head "A—General Secretariat (1) pay of officers." I want to confine myself to the second point that Mr. Chintamani has taken the position with regard to the appointment of Indians as secretaries to Government.

**The Hon'ble the President:** Is this motion being moved as an amendment to the previous motion?

**Khan Bahadur Hafiz Hidayat Husain :** Yes, Sir.

Now, Sir, I purposely want to bring in the question of the appointment of provincial executive officers as secretaries, particularly for the reason that the provincial executive service is manned solely or practically wholly by Indians. So far no member of the provincial executive service has been appointed as secretary in the Secretariat. It might be stated in reply to this that only those members of the Provincial Civil Service who hold listed posts are eligible for these appointments, and that there are but few of such officers and consequently the claims of the Indian Civil Service officers cannot be overlooked. To this my reply is that if appointments to the highest posts can be made from the Provincial Civil Service cadre—fortunately one Indian has lately been appointed as Commissioner from the Provincial Civil Service—it is wrong that that branch of the service should be ignored in making appointments as secretaries. Sir, this point was taken up generally before the Islington Commission, and in that very classic minute of dissent that Sir Abdul Rahim appended to the report he stated the following opinion:—

“As for the allegation that the Indians are wanting in initiative, driving power, resource, and the faculty of control, so far as it depends upon *a priori* assumptions, it could not affect our deliberations.”

Then lower down he says:—

“The time seems to be ripe when a much freer and larger admission of Indians into the higher regions of administration has become necessary, if there is to be harmony between the Government and the reawakened life of India.”

This opinion is the opinion of the educated community of India.

Now, Sir, it cannot be said at all that Indians in high positions have not justified their appointments. I leave the Indian Civil Service alone. In the Secretariat here there have been at least two Indian officers from that cadre as secretaries, one of them, a man of outstanding merit and superabundant energy, even to-day occupies the position of Secretary in the Education department, and it cannot be said that the Provincial Service cannot supply the man of the right type and calibre. Such men could be found, and, if appointed, there could be no fear of any deterioration whatsoever in the administration of the various departments. Therefore, Sir, I think the time has come when this distinction—I call it a distinction—that has so far been studiously observed shall disappear and that the Secretariat appointments shall be open freely to Indians, be they members of the Indian Civil Service or members of the Provincial Civil Service. The member of the Provincial Civil Service, first in the list, has been appointed Commissioner probably because he occupied the position of Secretary and thus had knowledge and experience of the inner working of the departments. Had he not occupied that position he might have been ignored: who knows? If, therefore, the association of Indians in the Councils of Government has any meaning it is absolutely necessary that the Secretariat should be thrown open freely to Indians. The Provincial Executive Service bears the brunt of the revenue and executive work and need not for ever be tied down to the machine from which escape be impossible. Government should know that that service possesses men who are not only competent, but can

also keep the balance even between the warring and contending sections of the Indian community.

**The Hon'ble Sir Sam O'Donnell:** I will take, first, the question of the Chief Secretary. As the honourable member for Partabgarh has himself admitted, there is a Chief Secretary in every local Government in India— at least that is my impression, and I believe it is correct. It is also a fact— and the honourable member has admitted it— that there is no legislature in the country where the appointment has been challenged. It may have been challenged outside the Councils, but it has not been challenged inside the Councils. It has been left to the honourable member to raise this point for the first time in this Council. Now, Sir, the Chief Secretary is the senior and most experienced officer of Government. He is also the chief staff officer of Government. He is liable to be called upon to advise at any time on any question that comes before Government. That is the justification for calling him Chief Secretary. But, Sir, there is no justification whatever for the suggestion that the Chief Secretary occupies in the Government any position other than that of a Secretary. The honourable member for Partabgarh has quoted a remark made by Sir James Meston. Well, Sir, the honourable member for Partabgarh has many great qualities which we all admire, but I sometimes think that one quality has been denied to him, and that is a sense of humour. I should have thought, Sir, that anyone who was present on that occasion, as he was, and as I was, would recognize that Sir James (now Lord) Meston spoke in a humorous sense. He did not for one moment mean to suggest that the Chief Secretary was a Super Government or that the Chief Secretary's advice was other than advice. I myself have been a Chief Secretary, and I speak from knowledge and experience on that point. My position was simply that of an adviser of the Government. That is the position of the present Chief Secretary, and always will be the position of the Chief Secretary. He is the Chief Secretary because he is the senior and the most important staff officer of Government in the Secretariat and his advice is always valuable and worthy of consideration, but it is advice and no more than advice.

Then, Sir, the second point raised was the appointment of Indians in the Secretariat. Now, Sir, on this point there is a fundamental difference between the honourable member for Partabgarh, and us. If I understand him aright the honourable member for Partabgarh desires that for appointments in the Secretariat the principle should be selection modified and qualified by racial consideration. Well, Sir, that is not the view we take. We consider, as we have always considered, that the task of the Government is to select for these appointments—appointments which require special qualifications—the officers who are best qualified. That is the principle on which we proceed. We believe that those Indians who are eligible for appointments in the Secretariat should receive a fair field and no favour, and we believe that, that also is the attitude of the Indian members concerned. We do not believe that they desire anything more than a fair field and no favour.

**Pandit Nanak Chand:** How is the Indian element to be trained?

**The Hon'ble Sir Sam O'Donnell:** In the same way as other officers are trained. Nor can it be said that they have not received that treatment. One Indian, as every one knows, is holding the position of Education Secretary. Since this Government came into office an Indian has

[The Hon'ble Sir Sam O'Donnell.]

been appointed as Secretary in the Irrigation Branch of the Public Works department. Another Indian has been appointed as Deputy Secretary in the Finance department. Another Indian is about to be appointed as Deputy Secretary. There is an Indian Under Secretary. It is perfectly true that the majority of the posts in the Secretariat are held by European officers at the present moment. That is the result, the inevitable result, of the present composition of the Indian Civil Service. These posts are posts on the cadre of the Indian Civil Service, and at the present moment the great majority of the senior officers are European officers. If it is said that the Civil Service ought not to be constituted on these lines, that is another matter. As a matter of fact, the Indian element is being increased and will go on increasing, and that is bound in time to affect the number of Indians in the Secretariat. But at the present moment the great majority of the senior officers are Europeans.

As to the Government Reporter, he is simply a Superintendent who prepares abstracts from the newspapers. He is also the Librarian.

**Mr. C. Y. Chintamani :** Why has he disappeared ?

**The Hon'ble Sir Sam O'Donnell :** He has reappeared as Superintendent, I understand.

**Mr. C. Y. Chintamani :** I am deeply grateful to the honourable Finance Member for the contents of the speech which he has made. He has described the Chief Secretary in language incomparably better than what I would have been capable of. His description is that "he is the chief staff officer of the Government who may be called upon to advise Government at any time on *any* matter." If I were to rest my case only on the Hon'ble Finance Member's speech, and on nothing that I would say, I feel that I would win my case before any judicial tribunal. "The chief staff officer of the Government who may be called upon to advise the Government at any time on *any* matter." I do not want the Government to possess such an officer. I do not want a Government developing, at least developing, into a constitutional Government, a Government one-half of which is already said to be constitutional—it is constitutional to a certain extent—I do not want that Government to possess an officer, chief staff officer, or any other officer who may be called upon to advise them at any time on any matter.

It is imperative, in the interests of constitutional development, that there ought not to be such an officer. There is no such officer even in the Government of India. Certainly there is no such officer in the Government of England. I need not take notice of the existence of this officer in other provinces, because I myself made a present of that fact to the Hon'ble Finance Member in my opening speech.

As regards Sir James Meston, I stated in detail what happened. He was going to accept something which I ventured to propose as a non-official member, and he said openly that he was unable to accept it in spite of his wishes, because his conscience-keeper, the Chief Secretary, would not allow him to do so. I certainly lack a sense of humour, but I think the Hon'ble Finance Member at that time must have been pre-occupied with something else. It is not Sir James Meston to whom I attributed the phrase "super-government," but I said it was Lala

Harkishan Lal, who was some time ago inside the Government of the Punjab for nearly three years and who told the Muddiman Committee that the Chief Secretary was the "super-government." Undoubtedly there is a fundamental difference between the Hon'ble Finance Member's point of view and my own. I regret to say that it should be so. I could wish that it were not so. But there are so many fundamental differences between his point of view and mine, and such fundamental differences will be apparent to any one in the form of speech and vote from day to-day, and we are longing for the day when in these matters where there is a fundamental difference between them and us it is our view which shall prevail as a matter of right and not their view. I am reminded here that this is not the first time that this subject was brought before the Council. I am afraid I took too much credit to myself, for which I apologize to the Council. My friend, Pandit Bhagwat Narayan Bhargava, did bring up this question before the Council in 1925. My friend on the left (Pandit Nanak Chand) also tells me that he brought it up once in the Council. To that extent the surprise of the Hon'ble Finance Member will have, I am afraid, to be mitigated.

I now come to the question of Indians in the Secretariat. It is not correct to say, as the Hon'ble Finance Member was pleased to remark, that the principle of the Government was selection, whereas I wanted selection to be qualified or modified by racial considerations. I affirm that it is they whose policy has been to be actuated by racial considerations in filling up such high appointments. I made no secret of my opinion in this case, nor do I think that any Indian, be he ever so moderate, has ever made a secret of it, and if the Hon'ble the Finance Member, after granting immunity from any kind of censure, were to take a plebiscite of all the Indian officers in the services, I shall marvel if it does not turn out to be their opinion as well. Let there be no racial considerations, let there be a fair field and no favour, and in that event I submit that there ought to be many more Indians in those ranks (pointing to the official benches) than we see at present. He has also told us that we have an Indian Irrigation Secretary. I purposely avoided mentioning the Public Works department, as I shall have an opportunity to speak on that subject later on. But as he wants to take credit for the existence of Irrigation Secretary, may I inquire from him what has happened to the Indian under secretary in the Public Works department branch? The thing is that they must always balance the proportion as between Europeans and Indians. If one Indian is to be brought in, another Indian must go. An Indian deputy secretary, we are told, is shortly to be appointed. I should congratulate the Government and ourselves if some other Indian deputy secretary were not to disappear in favour of a European. And now a word about the new Indian deputy secretary. The great generosity of that act will be apparent at once. The Hon'ble the Finance Member may contradict me if my facts are wrong. They are going to try (I emphasize the word "try") in the position of deputy secretary a civilian who is in the twentieth year of his service. He is of such standing in the service that by this time our late Governor was already a member of the Governor-General's Executive Council. Even amongst the present secretaries there is at least one who is junior to him, and yet the senior Indian is about to be tried as a matter of great generosity as a deputy secretary.

**The Hon'ble Sir Sam O'Donnell :** The honourable member for Partabgarh has laid stress on my statement that the Chief Secretary is the Chief Staff Officer in the Secretariat. He has told us that it is imperative on constitutional grounds that there should no longer be such an appointment. But why is that imperative on constitutional grounds? That is a point which the honourable member for Partabgarh preferred to leave in obscurity. I listened to his speech very carefully, but I found no reason for the assertion that the existence of such an officer is open to objection on constitutional grounds. I expressly deny that the Chief Secretary exercises the functions which are attributed to him. As I explained the Chief Secretary is an officer who advises the Government. As the senior and most experienced officer in the Secretariat he is liable to be called upon to advise on any question, but it is not the case that he is a super-government or that he does anything more than merely advise the Government.

As to Sir James Meston's remark, I should have thought that it would have been perfectly clear to any one that, when Sir James Meston referred to his conscience-keeper and said that although he had wished to agree to a certain proposal his conscience-keeper prevented him from doing so, he meant that the Chief Secretary had pointed out to him that there were objections to that proposal and that he could not conscientiously accept it, whatever his personal wishes might be.

I speak on this matter with full experience and knowledge, and I say that neither the present Chief Secretary nor any other Chief Secretary has ever occupied the position other than that which is appropriate to a Secretary, i.e. of an adviser to the Government.

**Mr. C Y Chintamani :** Technically.

**The Hon'ble Sir Sam O'Donnell :** Not technically, but actually and in fact. There has never been a Chief Secretary who has been more than an adviser to the Government. It is quite true that there is no Chief Secretary in the Government of India. I take it that I am as familiar with the constitution of the Government of India as he is. But the fact is that the constitution of the Government of India is quite different from that of the local Government.

As regards Indians in the Secretariat, the honourable member takes objection to my statement that his principle is one of selection modified or qualified by racial considerations. Well, Sir, if that is not his principle, what his principle is I am at a loss to understand. How are there to be fixed racial proportions if race is not to be an element to be taken into consideration? I deny emphatically that it has been taken into consideration in the past. I have admitted that the majority of Secretaries are Europeans and I have given the reason for that. I have pointed out that these appointments are made from the Indian Civil Service and that the great majority of the senior officers best qualified for the appointments are at the moment Europeans. But, as I have already explained, the Indian element is steadily increasing in the Indian Civil Service and as time goes on the number of Indians is bound to increase in the Secretariat, meanwhile we have to take the facts as they stand. If a mistake was made in the past as regards the way in which the Indian Civil Service was recruited, that is another matter. But in that service at the moment a majority of the senior officers are Europeans and that is the reason why a great majority of the officers in the Secretariat at present are Europeans.

**The Hon ble the President :** The original motion moved was for a reduction of Rs. 100 under sub-head "A—General Secretariat—(1) Pay of officers." The object of the motion is, in the words of the mover, the conversion of the post of Chief Secretary into that of an ordinary Secretary. The honourable mover also emphasized the desirability of having a larger number of Indians in the Secretariat. Since then an amendment has been moved that for "Rs. 100" "Rs. 10" be substituted, with a view to secure the employment of a larger number of provincial service men in the Secretariat. The amendment is more or less covered by the original motion. As both the original motion and the amendment are in the nature of a token cut with more or less similar object, I shall put the amendment to the House first.

*The amendment put and the Council divided as below :—*

*Ayes, 57 ; Noes, 29.*

*Ayes.*

Khan Bahadur Mr. Masud-ul-Hasan.  
Pandit Rabas Bihari Tiwari.  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sunder Lal.  
Babu Bhagwati Sahai Bodar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Pandit Nanak Chand.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit D.ota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Bhaya Hanumat Prasad Singh.

Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Mr. Muhammad Abdul Bari.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Khan Bahadur Saiyid Jaffer Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Shaikh Muhammad Habib-ullah.  
Chaudhri Niamat-ullah.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.

Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Rao Krishna Pal Singh.  
Sirdar Nihal Singh.  
Kunwar Surendra Pratap Sabi.  
Haji Abdul Qayum.  
Mr. St. George H. S. Jackson.  
Mr. E. M. Souter.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a token reduction of Rs. 10 under sub-head " B—Inspector of Offices—(1) Pay of officers". This refers to temporary establishment of Inspector of Offices. If the honourable members will look at page 14 of the Detailed Estimates, they will find the figures. The actuals in 1925-26 amounted to Rs. 16,580; the demand was for Rs. 28,610 which was reduced by the Council by Rs. 6,400. The revised estimate for 1926-27 is Rs. 21,300 while the demand is Rs. 24,300. In the budget the increase of Rs. 6,000 is shown to be due to increments. I want an explanation as to why these officers are being multiplied year after year. In 1925 it was said that as the taqavi records were not in order it was necessary to appoint extra officers. That was a special case. What new circumstances have now risen for a further increase of these officers?

**Mr. E. A. H. Blunt :** I am afraid I have not followed the honourable member. The increase of Rs. 6,000 is simply due to the fact that in 1925-26 there was only one officer, while in 1926-27 there were two officers. The increase of Rs. 8,000 in 1927-28 is due partly to the increments of these officers, partly to a provision for leave allowances for the Chief Inspector and his assistant, in case they go on leave. There has been no increase in staff at all. As regards taqavi, the establishment is only temporary.

**Rai Bahadur Thakur Haruman Singh :** I beg to move a (token) reduction of Rs. 10 under sub-head " C-(b) Court of Wards department" (page 15 of the Detailed Estimates). At the outset I am sorry to say that I have to make nearly the same statement which I made last year regarding the management of the Court of Wards. A perusal of the report for the year 1925 shows that in spite of the fact that observations regarding certain matters concerning the wards or their estates were made, but no heed has been taken by the Court of Wards. The same report shows that during the year 1925 there were 167 estates with a gross rental of Rs. 15,28,00,341 of which after making reductions on account of remission, postponement, and other matters Rs. 1,48,99,777 was recoverable.

*At this stage the Deputy President took the Chair.*

No doubt the collections were on the whole very satisfactory, but I am not much concerned with that. My chief aim in bringing this motion is concerning the education of wards. There were in that year 98 wards, including nine girls. Of these wards 55 were in schools and colleges and thirteen were reading with private tutors. Sir, as regards private tutors I have to say that the education imparted by them has not been always very satisfactory. European teachers who are engaged for the tuition and guardianship of these wards do not care to take the same care of the wards put in their charge as they would have taken if the wards were of their own race. At the same time an Indian ward brought up under the guardianship of a European tutor cannot be expected to be a good landlord in his after-life. A good landlord requires a good many virtues which cannot be infused in the mind of an Indian boy brought up by a European tutor. He cannot be expected to have sympathies with his tenants, sympathies with his relations, and sympathies with the interest concerning his country. Eight wards were learning estate management, of whom two were not favourably reported. Two girls were taught by the governess in charge of the children of the Maharaja of Mahmudabad. I do not know whether these girls and the children of the



Maharaja of Mahmudabad were boarding together or they were living in separate houses and the governess used to teach them and look after them by turns. If it is objectionable to have a male ward under the guardianship of a European tutor, it is, in my opinion, much more objectionable to put an Indian girl in the care and tutorship of a European governess. We have to take into consideration that these girls in their after life would be married to Indians and Indians may or may not like the European manners which they are taught in their infancy. Page 9 of the Report of 1925, the last paragraph of paragraph 10 shows that Captain Lathom, Major Ralston, Miss Drummond, and Miss Taylor continued as tutor guardian of wards (or their relations) of the Kalakankar, Muhamdi, Payagpur, and Balraampur estates respectively, while Mrs. Mathews, Miss English, and Miss Vaughan taught the Landhaura, Payagpur, and Katesar girls respectively at home. The sister of the Saheshpur Bilari ward continued her studies at Queen Mary's College, Lahore. I strongly object and I hope the Council share my view on this point that our girls should be placed under the tutorship and guardianship of European governesses.

The whole of India is crying for social reforms, the Court of Wards spends lavishly on the marriages of their wards. From the report it appears that Rs. 4,07,444 were spent on the marriage of one ward and Rs. 1 lakh on the marriage of another ward. Well, I would say that Rs. 1 lakh may not be considered to be a very high figure to some, but Rs. 4 lakhs is to mind enormous. Such big amounts should not be spent. The worst of it is that 1.45 lakhs of this amount was spent by borrowing. Then the report shows that the Courts of Wards have been paying attention to sanitation, and medical aid of its tenantry as well as the education of the sons of tenants. Well, this is a thing which every estate, every zamindar should do and the Court of Wards should be congratulated over that. I must say that there appears to be no good reason why Court of Wards should maintain its own primary schools. The money spent on primary schools may be granted as scholarships to the sons of the poor tenants, so that they may go out of their homes to learn agriculture or other industries and return after learning them and set an example to their fellow-tenants. It is the duty of the district board to run and maintain primary schools.

There is one point which I desire to lay before this Council and it is that with agross rent roll of Rs. 1,52,99,000 odd it cannot be expected that a member of the Board of Revenue who has good many other things to do can properly manage the work of the Court of Wards. To my mind he may be finding it too heavy a work for himself. If he be relieved of the hearing of appeals and other duties pertaining to his office, then of course he can look properly to the management of the Court of Wards. If the Government want that the estates should be properly looked after, then they cannot do better than leave one Member of the Board of Revenue in sole charge of the Court of Wards estates and relieve him of other duties. If the Government under the present circumstances cannot do that then I would suggest that it may take a certain percentage from the income of the estate and appoint an officer of an equal status of the Member of the Board of Revenue to look after the estates properly. There is a general complaint that members of the families of wards are not properly looked after, and little regard is paid by the managers to their wishes.

[Rai Bahadur Thakur Hanuman Singh.]

Well, Sir, as the time is short I do not desire to prolong my speech. In conclusion, I would say, that it is very necessary and urgent that the Act should be amended in pursuance of a resolution which was accepted by the Government sometime ago. Much delay has occurred, and I hope the Government will be pleased to expedite matters.

**Raja Jagannath Bakhsh Singh :** I seek your permission to move my motion substituting Re. 1 for Rs. 100, as a token reduction under sub-head "Secretariat and headquarters establishment (Board of Revenue)."

**The Deputy President :** I would have allowed you to do that, but there are other motions for reduction of Rs. 10 and unless you either reduce your motion to Rs. 10 or below it, you cannot do so. Or you may speak on the motion before the House.

**Raja Jaganath Bakhsh Singh :** I have no objection to raising the amount from Re. 1 to Rs. 10. I beg to move a token reduction of Rs. 10; under sub-head "Secretariat and headquarters establishment (Board of Revenue)."

In moving this reduction my intention is to bring to the notice of the House the report of the Court of Wards Act Committee which has been referred to by the previous speaker. The House will remember that on March 2, 1925, a resolution to this effect was passed in this Council—"that this Council recommends to the Government to appoint a committee of officials and non-officials with instructions to consider any important amendment that are required in the Court of Wards Act and to report to the Government." The Government appointed a committee of several members, which was presided over by the Senior Member of the Board of Revenue. In the same year, in June, that committee sat at Naini Tal and formulated its report. In fact, I might further bring to the notice of the House that that committee did not formulate a report of its own, but the importance of this reform was already supreme in the mind of the Government and the committee was informed that there was a Bill on the anvil of the Board of Revenue to this effect and in order to expedite matters the committee took over that Bill into consideration and added whatever new proposals they had in their mind to that Bill. In fact the report of the committee referred to by me just now is an addition to what the Board of Revenue had in their mind in the shape of a Bill which certainly was intended to be brought to the House by the Board of Revenue. Now the report of this committee—I mean the committee on the Court of Wards Act Amendment—was published in the *Gazette* on May 1, 1926. More than nine months have passed, but I think I am correct in saying that we have not yet read the resolution of the Government on this report. As long as the very important tenancy and revenue legislations were in the hands of the Government, the Government could have been justified in saying that they were pressed for time; but after the tenancy legislations have been completed and, as it has been pointed out by more than one member of this House to day, the Government has not given much time for non-official work, and I might also say that during this cold weather I think there was not much business on the hands of the Government. If I am not mistaken, there was not one Bill of any

great importance which could take much of the time of the Government and for the sake of which they could postpone other important work. Regarding the importance of this reform I have already pointed out that the Government themselves considered it of very great importance, so much so that before resolutions on this subject were passed in this House for a number of times, the Government had already in hand a draft Bill on this very subject. Therefore the importance of this question will not be denied, I hope. For the sake of saving time I would not enlarge upon this point at this moment, but I hope the Government will not differ from me in that the reform is of supreme importance to the people concerned. I should therefore supplement the argument of my friend the member for Ballia, who spoke before me, that it is a very urgent reform and that the Government should see their way of bringing it about as speedily as possible.

**Lieut. Raja Durga Narayan Singh:** I have got a similar motion (No. 54) in my name but instead of moving my motion I will speak on the motion that is before the House. I am really very sorry that every year we have to say the same thing regarding the Court of Wards department. If our request made previously were acceded to, there is no doubt that this occasion would not have arisen for discussion of this matter. There is one very important factor which I wish to bring before the Government. The usual practice is that when estates are heavily in debt and when even the interest on those debts cannot be paid out of the income of the estates, then the Court of Wards takes them under their charge. I think it would be much better if the department takes an estate over when it is found the proprietor of the estate is contracting debts. If that is done, I suppose the occasion will never arise when it will be necessary to sell a certain number of villages for the payment of debt. It is not the first time that I have to make this suggestion to Government. In previous years too this matter has been urged upon the Government, but no heed was paid to it. The Senior Member of the Board of Revenue will, I hope, take note of this and if it is found that any estates have incurred heavy debts, he will be pleased to take them over under the Court of Wards. The other point that I wish to bring to the notice of the Government is that the claims of junior members of the ward's family are not taken into consideration. I find that in certain cases—I think it will be an unpleasant task if I place before this House the bare facts and therefore I will confine myself to general remarks—the junior members of a ward's family are harshly treated by the special manager; they are harshly treated by the collector; they are harshly treated by the zilladars and sarbarahkars. If they make any complaints to the district magistrate or to other higher authority in the Court of Wards department, they are not listened to. I think it is but fair that the department should see that such grievances are redressed, because those members after all are connected with that family, with that royal house and if they feel any trouble, if they are put to any inconvenience, well of course there is no second person to redress their grievances than the higher authorities of the department. As was pointed out by the honourable mover of this motion, the education of wards is much neglected. I too want to say a few words in this connexion. It is not in this House only that we make such suggestions, but in the Central Court of Wards Advisory Committee also, which the Government has appointed to advise the

[Lieut. Raja Durga Narayan Singh.]

department in all big matters, we move resolutions, but no heed is paid to them. I will quote one or two resolutions that came before the advisory committee for consideration. One of them was as follows:—

“This committee recommends to the Court of Wards department that in the matter of appointment of guardians and tutors of minor wards and their relations its policy should be invariably to appoint Indians of suitable qualifications to such posts. Governesses and nurses should not be appointed to be in charge of minors beyond the age of 12 years. If there are already any such in the Court of Wards department, their services should be replaced with the least possible delay.”

This sort of resolutions, motions, and suggestions are considered in the advisory committee, still I find that recently there happened a case when a ward was taken away from a male guardian and handed over to a governess. I think it is no use spending so much over such committees if their suggestions are not listened to.

One more suggestion that I wish to make is this, that in certain districts members of this Council are not members of the district Court of Wards advisory committee and the result is that members of the Council cannot ventilate the grievances and cannot expose what happens in their districts in regard to these matters. So I hope the Senior Member of the Board of Revenue will kindly send a circular letter to all the district officers that where there are M. L. C's. in the district they should also be put on the district Court of Wards advisory committee.

From the report of 1925 I find that in the estates where there are agricultural farms heavy amounts are spent over them. In that report we also find that there is one agricultural expert in one estate and there too the farm is running at a loss. So I think it is better for the court of wards department to abolish those agricultural farms instead of spending money over them.

I hope the suggestions that have been made by me and other honourable members will kindly be considered.

**The Deputy President:** (To Thakur Sadho Singh.) Do you desire to speak to this motion or move your own? I would suggest to you to follow the example of the two Rajas, viz., to speak on the motion which is before the House.

**Thakur Sadho Singh:** Very well, Sir.

I want to bring to the notice of the Government some particular facts with reference to my own district and I shall confine myself to that aspect alone. Shahjahanpur has got a very large number of small but very old ancestral estates, and many of them are encumbered with debts. Several estates have disappeared and been sold very cheap during the last ten years, not so much on account of the incompetency of the helpless owners but also on account of the clever manoeuvring of actions by creditors. When proprietors have incurred fairly heavy debts, they approach their creditors asking them to purchase portions of the estates. They do not purchase those properties for anything and interest is allowed to increase and private sales are rendered impossible. Later on when auction takes place, these people manoeuvre the auctions in such a way as to ruin and purchase the whole estate for very small amounts of debts. Such things happen every month.

Then there is another difficulty. There are no land-mortgage banks to come to their help and the Court of Wards when approached to take over the estates under their management refuse to do so rather too rigidly. If no relief is offered to these estates, I think a very large number of them will be wiped out of existence within the next ten years and the new purchasers will be worse zamindars. If the Government condescend to be more liberal in taking over these estates, they can manage to sell portions of the property and for fair prices and redeem the debts within 15 to 20 years, the proscribed limit. I may also say that in several districts of Rohilkhand some of the bad managers of heavy encumbered estates are themselves appointed members of the Court of Wards advisory committees, to the exclusion of local members of the Legislative Council.

These grievances which I want to bring to the notice of the Government have become serious and widespread and I hope the Government will give them their very best consideration.

**Pandit Brijnandan Prasad Misra :** It is to bring certain matters to the notice of the Court of Wards department that I desire to speak. I will not take much time of the Council at this late hour.

In regard to the treatment of the wards I have only to ask the authorities to be more sympathetic. It is very necessary that the wards placed under their care should be treated sympathetically. Their grievances, which are not generally listened to ought to receive greater consideration and attention from the officers under whose charge they are placed.

Another point that I wish to bring to the notice of the Court of Wards is that it has been found that the department hesitates in taking under its charge those estates which are heavily indebted. If the purpose of the Court of Wards is to protect estates and those persons who are indebted, it is very necessary that they should not shirk their responsibility in taking under their charge those estates that have got large debts. I know of instances in which the requests of such estates have been refused. A refusal of that kind lends itself to the interpretation that the Court of Wards desires to take under its charge only those estates which are wholly profitable and which can keep a certain number of officials engaged.

Another point that has already been mentioned is about European tutors being generally employed for the purpose of teaching the wards. This is certainly objectionable, particularly in the case of girls.

One point that has not so far been brought to the notice of Government this year is that European special managers are generally appointed, and the post of special manager is not generally given to Indians, the number of Indian holding such posts being very small.

One more thing that I would like to ask in this connexion is, what is the principle on which the selection of members to the Advisory Committee for the Court of Wards is made? I want to bring some other specific matters also to the notice of the Court of Wards. One of the estates that are under the Court of Wards is the Balrampur estate—that is one of the biggest estates in Oudh, and if my information is correct I think that things are mismanaged there. I had put a number of interpellations in regard to the administration of that estate, but all that seems to have borne very little fruit. Very little economy seems to have been practised in the administration of that estate. Polo horses

[Pandit Brijnandan Prasad Misra.]

have been purchased, evidently for the benefit of none but those that are managing the estate. Leases of villages have been given, in some cases to the servants of the Court of Wards, which is extremely objectionable. A person who is responsible for the administration of the estate should not be a *thekadar* of the villages. He will then be in the double position of a zamindar and a *karinda*.

I would also inquire as to what action the Court of Wards has taken to prevent the recurrence of the financial irregularities that have been brought to its notice in the report of the auditor who audited the accounts of the Balrampur estate last year.

The complaint about the experimental farms has already been made by Lieutenant Raja Durga Narayan Singh Sahib and I therefore do not like to repeat it. In connexion with this estate I would like to ask two more things. One is, if it is a fact that the ward was not allowed to go to Gaya to perform the saradh ceremony of his father and the request of the mother of the boy was refused. The other and the last thing I would like to know from Government is, if they propose to send the ward to England for the purpose of education against the desire of his mother and other relatives at such a tender age.

**Mr. A. W. McNair:** First of all I thank the honourable members for their criticisms and suggestions which are not only welcome but also stimulating with reference to the administration of the Court of Wards. Last year during the budget debate various motions were moved and discussed and an exhaustive reply to them was given by Sir Richard (then Mr.) Burn. Some of the present criticisms cover ground traversed then, others are new. I have not long been in charge of this department and cannot claim to have the intimate knowledge of affairs possessed by my predecessor. But I will do my best to answer the criticisms as far as possible. The most important point urged by the honourable member for Bellia refers to the education of the wards. This was thoroughly discussed last year. It is known how difficult a problem it is to arrange for the education of each ward. And it is impossible to lay down a hard and fast rule. Each case must be considered on its merits. There are safeguards in the rules against coming to any decision on incomplete data, viz., the wishes of the family are consulted, the advice of the advisory committee is taken and the opinion of the local officer is taken. All these are considered before any definite decision is come to as to the school or a definite system of education to be adopted. The report to which the honourable member referred is about the year 1925. A good deal of water has passed under the bridges since then. The Rajas of Mandi and Nanpara are no longer under the Court of Wards. Miss Drummond is no longer in charge of Pyagpur. It is true that Miss Taylor is still in charge of the Maharajah of Balrampur. He is getting too old to have a governess, but it was not considered advisable to make a change as he is going to England shortly.

The honourable member renews his criticisms of last year and still entertains a feeling of alarm that there is a general anglicising of the wards, especially female wards. Last year he cited the case of the sister of the Sahaspur-Bilari ward who has been receiving education at the Queen Mary's College, Lahore. He said that a Hindu girl educated in a Christian institution cannot be a good housewife in a Hindu family and it will be difficult to find a suitable bridegroom with

whom she can dwell in love and affection. Since then she has been betrothed to the son of a leading citizen of Amritsar, and we are only awaiting the arrival of the boy from England for the marriage ceremony to be performed. It cannot, therefore, be said that any difficulty has been felt in getting a suitable match for her owing to the system of education adopted in her case. As regards European governesses, I may point out that there are only four in number, and of these only one is in charge of a female ward and she is also the companion of the Senior Rani. So the danger that the honourable member fears is neither imminent nor constant. In fact it is very remote.

As regards the question of marriage expenses, the resources of the estate concerned are first taken into account, and no proposal of this kind is sent up for sanction to the Court of Wards until it has been approved by the advisory committee.

The honourable mover suggested that schools should not be maintained by the estates, but that they should give scholarships. Now, this point was urged last year, and Mr. Burn's reply was:—"Here, again, I do not think one can lay down hard and fast principles. In some case, no doubt, it is better that scholarships should be given, but there are estates, large estates, which can reasonably afford to maintain schools and which do maintain very flourishing schools." Besides, it works out more expensive to give scholarships than to maintain schools.

He then suggested that one member could not adequately supervise the Court of Wards administration. This point too was dealt with by Mr. Burn when he said:—"The honourable mover thought that the time has now come when the member of the Board should either be replaced, or, at any rate, be assisted by a special officer for the Court of Wards' work, but he does not appear to have realized the great change which has been made in the last year or two by devolution of power to Commissioners and district officers. A large part of the work is now disposed of by those officers which formerly used to come to the Board of Revenue. This devolution was made owing to suggestions made by members of this Council."

Then comes the question of the appointment of special managers, assistant managers, and ziladars. Here I may point out that special managers and assistant managers are appointed with great care. They are selected from a list of approved candidates maintained in the Board's office. There is no doubt that one cannot always defeat the element of personal equation in such matters, but as I have said great care is taken in selection. Confidential reports are received every year regarding each special manager and assistant manager, as to how he gets on in his dealing with the wards. Any adverse comment is followed by suitable action. As pointed out by Mr. Burn last year, occasionally a subordinate may be rude, but if a case of this kind is brought to the notice of the local officers they will certainly take the steps to punish the delinquent.

One member suggested that M. L. C's. in districts should of necessity be appointed to district advisory committees. In this connexion, I may say that, if a district officer finds that a certain M. L. C. is interested in Court of Wards matters and if he recommends his name for the district advisory committee, there is no reason why he should not be allowed to serve on the committee.

I now pass on to the question of farms, the abolition of which is suggested by the honourable member for Farrukhabad. Last year in

[Mr. A. W. McNair.]

the debate on Court of Wards' budget Mr. Burn held out the prospect that the working of the Maharaiganj farm would show a great improvement during the year. I am glad to be able to say that that hope has been realized, and the farm for the first time in its history has shown a small profit in this year's working. The same cannot be said of the farm at Katesar; but even there some improvement has been made, and since a new crude oil engine has been substituted for the old tube-well engine, which had become quite unserviceable, a great improvement may be expected. At the same time, I am not wholly satisfied with the condition of these farms, and I am not sure if they are properly fulfilling the purpose for which they were started. But I shall look into the whole matter closely in the near future, and then the suggestions of the honourable members will receive my earnest consideration in coming to any decision.

I now come to the point raised by Thakur Sadho Singh Sahib regarding the superintendence by the Court of Wards of small estates. He refers to the particular district from which he hails and with the conditions of which I am not unacquainted myself. I sympathize with him in his desire to see restored to their former happy condition small estates of Thakur yeomen farmers now heavily encumbered. The honourable member is, I think, aware that I am hoping to take over one such estate in the near future. Any other applications which will come under section 10 will be duly considered. As regards the general question of the assumption of charge of small estates, one should realize that many factors come into play in coming to a decision, such as the legal position, the size of an estate, the period which will be required for the liquidation of the debt, the cost of management, etc. It might be easy to take over a small estate where there is already a scheme of management, but where there is no such scheme the charge of management would probably be too heavy. If any case is brought to my notice I will consider it on business-like principles coupled with just that tinge of sentiment that should colour the Court of Wards administration.

Panlit Brijnandan Prasad has alleged that Europeans are generally appointed to be in charge of estates and he proceeded to refer to the administration of the Balrampur estate. I join issue with him on the point that Europeans are generally appointed to manage estates. Balrampur, which is the biggest estate in Oudh, is managed by an Indian. As regards the financial irregularities which were brought to light in the audit report, they have been dealt with. He then referred to the case of the Maharaja of Balrampur. His case is a peculiar one. There was a proposal that he should go on a two months' pilgrimage to Gaya, Puri, and elsewhere. It was, however, considered inadvisable to allow him to undertake two long journeys in quick succession. Now it has been decided to send him to Europe and to have his case placed before the specialists there and their considered opinion taken. We shall await their verdict, and the Board, before sending up any recommendation to the Government as to the best course to pursue, will consult the wishes of the family and take the advice, which is highly valued, of the Central Advisory Committee.

Sir, this is all I have to say. I hope that my reply has given information which honourable members desire and has met, if not fully, at least in great measure, the criticisms offered in the course of debate.



**The Hon'ble Sir Sam O'Donnell:** Raja Jagannath Bakhsh Singh wishes to know about the committee which was appointed to examine the Court of Wards Act. That committee made a number of proposals. The most important of them related to the constitution of the Court of Wards. The committee proposed a radical alteration in the composition of that body. Their proposal was that in future the court should consist of one member of the Board appointed by Government, who should act as President, and of a Central Board to be called the Board of the Court of Wards consisting of sixteen members to be appointed as follows:—six members to be elected by the British Indian Association, Oudh; six by the Landholders' Association, Allahabad, two by the United Provinces Legislative Council, and two members to be nominated by Government; one from Oudh and one from Agra. The committee proposed that the most important functions of the court should be transferred to this body. In the event of a difference of opinion the second member of the Board of Revenue was to be called in, but not if there were not less than three-fourths of the members of the board dissenting. This proposal we could not possibly accept, and I will give the reasons why. Government are responsible for the administration of the estates under the Court of Wards; they are in fact in the position of trustees for those estates, and if they are to discharge their responsibility they must be able to exercise real and effective control. They must work through agents who will carry out their policy. At present the work of the Court of Wards is done by the Board of Revenue who may be relied upon to carry out the wishes of Government. But this proposal substitutes for the existing Court of Wards a body unwieldy in number, largely lacking in administrative experience and not under any obligation to conform to the wishes of the Government. It is true that the committee propose that the Government should be given a power of control, but that power of control could only be exercised after the event. Government could reverse or modify a decision of the Court of Wards; but otherwise they would have no means of controlling the Court. Such a control could not be real, continuous, and effective, and if an attempt were made to make it so, there is not the least doubt that the whole scheme would break down. For these reasons we felt that it was quite impossible to accept a proposal of that kind. We have a central advisory committee and we have the district advisory committees. We welcome their advice, which is valuable, but we cannot agree to a divorce between responsibility and power. So long as we are responsible for the administration of these estates, we must have the power to carry out that responsibility. If it is suggested that the Government should stand aside altogether and that they should have nothing to do with the administration of the estates, that is another matter. That would be logical proposal. I do not myself believe that the proposal could be supported by public opinion. It would be extremely difficult to convince the landlords that their estates should be handed over to a non-official body, with which the Government would have no connexion. At any rate that was not the proposal which was made by the committee. The proposal was that the Court of Wards should be a body over which the Government would have no real control. That would have placed us in an impossible position. That would have given us responsibility but not the power to discharge it. The other proposals made by the committee related for the most part—or rather

[The Hon'ble Sir Sam O'Donnell.]

all of them—to matters of detail. On these proposals we have consulted the Board of Revenue, Court of Wards department. I agree that there has been some delay in the examination of these proposals. I understand that it has been due to the fact that the Secretary, Board of Revenue, is engaged also on revising other parts of the Manual of Court of Wards. He has not been able to take up and complete the examination of these other proposals of the committee. However, I have no doubt that the Board of Revenue will push on with the examination and complete it as soon as possible.

**Rai Bahadur Thakur Hanuman Singh :** I desire to be very brief in my reply. In the first place Hon'ble Mr. McNair has not said anything more than what was said last year by Sir Richard Burn. I want to assure him that I feel convinced that unless and until the Member of the Board of Revenue in charge of the Court of Wards is in sole charge without any other work, he cannot be expected to exercise that efficient supervision and control which one can expect from him, and I think that after serious consideration he will also come to that view. Unless a member goes to the district in which there are large Court of Wards' estates and inquires on the spot as to the state of management and a good many other things, he cannot be expected to do his duty from long distances, such as from Lucknow or Naini Tal or from the headquarters of Commissioners' divisions where he generally goes to decide cases.

Then, as regards the tuition and guardianship of minor girls by European governesses, I still hold the view which I expressed last year and this year in my speech. Other members of this Council too hold the same view, as would appear from the resolution which was submitted to the Board of Revenue by the Central Advisory Committee.

As regards the report of the committee appointed to consider the Court of Wards Bill, I was not a member of that committee so I am not in a position to say much, but I think that the report should be published and the opinion of the public and such bodies as the British Indian Association taken, if this has not already been done. The views expressed by the Hon'ble the Finance Member in his reply is not shared by me or by the zamindar members of this House.

**The Hon'ble Sir Sam O'Donnell :** One rather remarkable fact emerged from the reply of the honourable member who moved this motion. He is evidently unaware that the report of the committee has been published; it was published as far back as the 1st May, 1926, and published for opinion and criticism. It may well be asked what is the use of publishing reports for opinion if nobody looks at them.

**Rai Bahadur Thakur Hanuman Singh :** I am sorry I did not remember that.

**The Hon'ble Sir Sam O'Donnell :** Then the honourable member said in conclusion that the views I had expressed on the report of the committee were not his views. Well, Sir, I am in some doubt as to what his views are, because his original proposal was that the Court of Wards should consist of one member of the Board of Revenue; there should be one member set apart entirely for the administration of the estates under the Court of Wards. I think that is a much sounder proposal than the proposal of the committee, but I do not quite see how the

honourable member can reconcile the proposal which he supports with the proposal of the committee. I do not think it is necessary that there should be one member solely in charge of Court of Wards administration, and I am glad to see it is admitted that the Board of Revenue have plenty of work to do, as they have, but I do not think it is necessary that the Member of the Board of Revenue who is in charge of Court of Wards should be relieved of all other work. He has a great deal of work to do. The Court of Wards is a very big, heavy and responsible charge. Of course, he has assistance in that task. Besides the special managers, there are of course the Collectors of districts, and the Commissioners.

*The Hon'ble the President here resumed the Chair.*

*The motion that a token deduction of Rs. 10 be made under the sub-head Court of Wards department was put and the Council divided as below:—*

*Ayes, 34 ; Noes 84.*

*Ayes.*

Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Pandit Nanak Ohand.  
Lala Nemi Saran.  
Chaudhri Adan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Um Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kayandra Narayan Singh.  
Pandit Shri Sadayatan Pando.  
Thakur Shiva Shankar Singh.

Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit B. dri Dutt Pande.  
Sirdar Nihal Singh.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Raja Raghuraj Singh.  
Mr. C. Y. Chintamani.  
Mr. Muhammad Abdul Bari.  
Nawabzada Muhammad Liaquat Ali Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Baksh Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.

Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Chandra.  
Lieut. Raja Kali Churan Misra.  
Rai Bahadur Babu Abhinandan Prasad.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Shaikh Abdullah.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.  
Shaikh Muhammad Habib-ullah.  
Chaudhri Niamat-ullah.

*When the votes were first counted, the "ayes" were reckoned as thirty-five, but one vote was afterwards found to be defective and had to be discarded.\**

\* The matter was referred to by the Hon'ble the President on March 14, after question time, Q. V.

**Pandit Govind Ballabh Pant :** I beg to move a (substantive) reduction by Rs. 2,00,000 of item concerning Commissioners (Rs. 3,27,935).

This question has been threshed out on the floor of this House on various occasions and I do not consider it necessary to recite the old tale. I will only refer to a few points which I hope will satisfy the honourable members of this House who have a reasonable frame of mind and are open to conviction about the propriety of the suggestion that I am making. Honourable members should have noticed that the total provision for Commissioners comes to Rs. 7,34,000. Out of that I am asking for a reduction of Rs. 2,00,000 which comes to about one-fourth of the total allotment. I am including in this both the voted and the non-voted in giving the aggregate amount. As is known to honourable members in this House, the suggestion was made in 1923 that the number of the Commissioners should be reduced from ten to five. A committee was formed by the Government and it was the unanimous recommendation of all the official as well as non-official members of that committee, which was presided over, if I remember aright, by the Senior Member of the Board of Revenue. Since then there has been a revision of the Agra Tenancy Act and as was announced in the notification issued by the Government, when forming that committee one of the main objects of the revision was to bring about a reduction in the volume of litigation which had been permitted by the Act of 1901. When the subject was discussed last year in this House, the Hon'ble the Finance Member observed—I am reading from page 27 of the report for March 27 :—“Of course that is not so . . .” (Then I go on, quoting from the speech of the Hon'ble the Finance Member) “One of the main objects of the Bill is to decrease litigation. We hope that it will substantially reduce the volume of appellate work coming before Commissioners.” That was the opinion of the Hon'ble the Finance Member when the Bill had not been finally dealt with in this House, but had only been introduced by the Government. Ultimately certain changes were made in the Bill which almost took away from the Commissioners this appellate work on account of revenue litigation. The Hon'ble the Finance Member in the course of the debate on the Agra Tenancy Bill on my motion for replacing the appellate authority which was vested in the Commissioners under that Bill, by civil courts said in reply to my argument that if civil courts were given that authority in place of Commissioners then there would be no need for Commissioners. “As to the suggestion that our object in making this proposal is to increase the work of Commissioners and thereby to render their retention more necessary, I wish to point out that on account of the change in the status of non-occupancy tenants, there will be a large reduction in the number of appeals to the Commissioners. At present the number of ejectment appeals which go to Commissioners every year is very large, but in future their number will be considerably reduced. Suits under serials 3 to 8 will be a mere fraction of the number of ejectment appeals which go at present to the Commissioners.” But the Council ultimately adopted my suggestion and whatever appellate authority was vested in the Commissioners under the scheme of the original Bill in respect of cases covered by this motion was transferred by the Council to the civil courts. So in consequence of the passage of the Agra Tenancy Act, the revenue work of the Commissioners has been considerably reduced. Honourable members must be aware that the number of

ejection suits year by year came to something between two and three lakhs during the last three years. There can be no ejection under the scheme of the new Act. There was a very large number of appeals against ejection decrees to the courts of the Commissioners. There will be no appeals of that sort now. Besides, as I have just pointed out, a number of cases against which the appeals lie to the Commissioners will now be dealt with by the civil courts in appeal. So the work of the Commissioners will be reduced considerably. Apart from any previous authority or examination of the subject, I put forth my proposal mainly on the ground that I have just mentioned; that by itself should be enough to entitle me to the reduction that I am claiming.

There are at present two or three posts held by officiating Commissioners, so that if the Government were not to confirm them in those appointments and they have no lien thereon, there would be no sort of hardship inflicted on them. So the proposal that I am making is an eminently feasible one. I find that the Hon'ble the Home Member observed in one of his speeches while he was free to give out his own mind:—"I would further like to suggest that every Commissioner should be reduced or when the Board of Revenue have been divested of their executive powers, they had better be abolished." That was said by him in one of the speeches delivered in 1922. Subsequently, as I have just pointed out, there has been a considerable reduction in the number of appeals that go to the Commissioner. So I request honourable members to adopt my suggestion. Of course, the Government will not find it easy to accept it. I recollect what I read recently in a book by Mr. Higgs. He says there that an old Minister used to tell him that it was as hard to get a department to give up any staff as it was to get butter out of a dog's mouth.

**Babu Uma Shankar :** Instead of moving my own motion I will speak on this motion. As the time is very short and as my views are well known on this subject, I will not detain the House longer.

**The Hon'ble the President :** Time is not short at all.

**Babu Uma Shankar :** This question has been very ably discussed by the honourable mover today and it has been discussed more than a dozen times on the floor of this House. I know that the Government is so thick-skinned and impervious that it is not going to pay any heed to the modest demand of this Council, but I warn the Government that it is not only not respecting the views of this House but it is not respecting its own constitution. I will say that the Government is not respecting its own constitution by not respecting the recommendations of the two committees appointed by Government themselves, namely, the Economy Committee and the Commissioners' Committee. The Economy Committee favoured the abolition of Commissioners and the Commissioners' Committee, of which mention was made by the honourable mover, also recommended unanimously the abolition of five Commissioners. Then last year of March 27 during the discussion of the budget the Hon'ble the Finance Member said: "That is a matter which we propose to consider if and when the Agra Tenancy Bill has been passed." That Bill has also been passed and six months have elapsed since then but we are where we were before. Government answers given to the honourable members are not at all convincing; they are

[Babu Uma Shankar.]

merely evasive. The Government said that the Government of India were not prepared to consider the abolition of Commissioner generally but that they were prepared to consider the abolition of any particular post. I want to ask this Government, if the Government of Madras can do without Commissioners, why can this Government not do without Commissioners? As a matter of fact the fault does not lie solely with the Government of India but it lies with this Government also. I ask this Government whether they have recommended to the Government of India to abolish any Commissioner, one, two, three, four or five. I think they have not. So I support this motion.

**Chaudhri Niamat-ullah:** I hold no brief for Commissioners and I quite appreciate the motives of the honourable mover who wants either the complete abolition of commissionerships or a material reduction in their number in the interests of economy. I, however, venture to think that the abolition of commissionerships or a reduction in their number is not a practical proposition in the existing circumstances, and I also think that in the long run economy will not be effected to any appreciable extent. The Commissioner in these provinces is as old as the British rule itself. The whole history of administration in these provinces would show that originally he exercised, at least in Oudh and more or less to the same extent in the other province, civil, criminal, and judicial powers. He was relieved of his civil powers in the year 1876; he was relieved of his criminal powers some time in the nineties, and then the number of commissionerships was very greatly reduced. Here again, I am speaking with special reference to Oudh. Since the year 1895 or 1896 the number of Commissioners has been constant up to date and the powers that he has got to exercise are executive, judicial, and quasi-judicial. I can refer to no less than fourteen enactments passed by the United Provinces Council and at least two or three Imperial Acts which impose duties upon him and confer powers upon him which he actually does exercise. When I say that it is not a practical proposition I mean that unless you overhaul and practically recast the whole constitution it is not possible to eliminate the functions of the Commissioner. I can quite understand that if next time your constitution is to be re-framed or if you get provincial autonomy it may be possible to draw up a scheme which may dispense with the services of an officer like the Commissioner, but as things stand at present, I entirely fail to see how it is possible to do away with the Commissioners by one stroke of the pen.

Sir, I am very jealous with regard to any curtailment of the right of appeal or the right to have the proceedings of subordinate officers revised by a higher and more experienced officer. All the powers which the Commissioner exercises under these Acts are powers of an appellate or revisional character. I have not been able to understand the honourable mover when he suggests that he would provide a substitute for the Commissioner. I do not wish to detain the House very much longer over this question. I would make some reference to the judicial side of the jurisdiction of the Commissioner. Take, for instance, the point that if you curtail the number of Commissioners or abolish them altogether, what are you going to do with regard to the appeals that he hears under the Land Revenue Act? Are those powers to be delegated

or transferred to the district judge? I think the district judge's court is wholly unsuited for the hearing of a number of cases which come up for hearing before the Commissioner. Take, for instance, cases relating to the appointment of lambardars. You cannot possibly take such class of cases to the district judges. Take, for instance, the cases of appointment of patwaris. These are some times very hotly contested cases. You cannot certainly take them to the civil side. Take the cases of assessment of rent at the quinquennial settlements and on other occasions. Cases of assessment of rent are not a matters which can possibly be satisfactorily dealt with by the district judge. Consequently you will have either to do away with these revisional and appellate powers or you will have to find some substitute for the Commissioner and once you attempt to make a substitute for the Commissioner, an officer possessing the same experience, the same ability, I fail to understand what economy you will be able to effect.

What is true in the case of total abolition of Commissioners I think is equally true in case you were to make any material reduction in their numbers. I do not claim intimate knowledge of the amount of work which a Commissioner has got to do on the executive side, but I think it is fair to assume that he has got his hands pretty full, and if that is so and if for those powers also you have to find some other officer to do the work which he is now doing, I think no economy will, in the long run, be effected. Therefore, I think it is neither practicable nor, in the long run, will the honourable mover achieve the object which he has in view.

**Pandit Bhagwat Narayan Bhargava :** I move for closure.

**The Hon'ble the President :** I cannot put the motion of closure to the House.

**Khan Bahadur Mr. Masud ul-Hasan :** My friend Chaudhri Niamatullah has already explained to the House the importance of the office of Commissioner. There is only one point which I will mention and I will not take up much time of the House. The Commissioner, besides his judicial, quasi-judicial, and executive work, has to look after the working of the local bodies. I mean the municipalities and district boards. This work in the interests of the public is very important, and it is absolutely necessary for the successful working of municipalities, district boards, and the mushroom growth of notified areas that their work should be properly supervised. There must be some agency to look after their working and sympathetically guide them. If these local bodies are left to themselves or left to the control of the district magistrates, there will be difficulties. These bodies, in spite of the checking and guidance of the Commissioners, at present mismanage to a certain extent their affairs and complaints on this account are becoming general, and if the supervision of the Commissioners is removed I am afraid that the results will not be very fortunate. It is high time that the Commissioners should get more time to do more checking work than they have done hitherto, but if these bodies are left to the control of the district magistrate, I am afraid that the district magistrate will be interfering too much in their working. It may be that some district magistrate, as was pointed out yesterday by my friend from Jhansi like the joint magistrate of that place may influence the members to pass resolutions detrimental to the interests of the public. Therefore I think that it is absolutely necessary that the Commissioner

[Khan Bahadur Mr. Masud-ul-Hasan.]

who has been relieved of a lot of appeal work after the passing of the new Tenancy Act should devote more time to see to the working of these bodies and make them healthy institutions for the benefit of the public. There are other points which I hope the House will bear in mind. When a man has got some grievance against a district magistrate and the district magistrate, owing to some local influences has made up his mind one way or the other, he can only get some sort of redress or consolation at the hands of the Commissioner. Remove the Commissioners and in that case every one from the district cannot run up to His Excellency the Governor, the Finance Member or the Home Member for his redress. Of course, if in future the idea is to cut up the province into small units, then it may be that you do away with the Commissioners, but while you have a huge province like the United Provinces of Agra and Oudh, do you mean to say that a villager, or even a man of moderate means, can approach the Local Government here and get his redress?

**Some honourable members:** Can they approach the Commissioner?

**Khan Bahadur Mr. Masud-ul-Hasan:** They can do; it is the practice for years past. Therefore I think for the time being unless you make some better arrangement and substitute some other agency for the work I have indicated above a number of Commissioners will have to remain.

**Sabu Bhagwati Sahai Bedar:** I move the closure, Sir.

**The Hon'ble the President:** I cannot understand honourable members rising so quickly for moving a closure of the debate. One side has been put and honourable members must hear the other side also. Why this impatience?

**The Hon'ble Sir Sam O'Donnell:** The honourable member for Naini Tal has proposed a reduction of two lakhs. That cut, if given effect to, would mean the reduction of the establishments of seven Commissioners. I did not gather that the honourable member desires that. If I followed him aright he aims at the reduction of only 25 per cent.; but since the reduction would take effect only on the votable portion it would mean, if it became effective, the reduction of the establishments of seven Commissioners. Further, I think his purpose would have been equally well served by moving a token reduction. I do not suppose that he expects that seven Commissioners or five Commissioners will cease to exist on the 1st of April. Even if we thought that that was the proper course—and we most emphatically do not—it is not in our power to abolish those posts, and so long as the Commissioners are there obviously the establishments must be retained.

On the merits of the question, Sir, I need say little. We have had on this subject debate after debate. We had quite recently a full dress debate on the subject. I gave then my reasons for thinking that it would have been a great mistake to have accepted the proposal of the committee for the reduction of five Commissioners. In our judgement that would have meant substituting a very inferior agency for the hearing of revenue appeals. Further, it would have meant that the charges of the Commissioners would have been too large and unwieldy for effective control. And lastly, as I have already said, this question, so far as we are concerned, is settled by the orders of higher authority. I



explained what those orders were on a previous occasion. It is quite true that the Agra Tenancy Act will mean a reduction in the appellate work of the Commissioners. I believe that the reduction is likely to be considerable. I hope that it will be so, at any rate. But what it will be, we do not know at present. The Act has been in force only for a few months, and until the time comes for filing ejectment suits we shall not know what the effects will be. When that time comes we shall be in a position to judge whether any reduction is practicable and, if so, how much. But at present we are obviously not in that position because the effect of the Agra Tenancy Act is not yet known.

**Pandit Govind Ballabh Pant:** When I heard the speeches of my friends Chaudhri Niamat-ullah and Mr. Masud ul-Hasan I was reminded of the adage about out-Heroding Herod. What they said has never been the case of the Government, and I have no doubt that this House would be stultifying itself if it does not follow up the decision taken only a few days back by voting for this motion. It was decided then that at least five posts should be abolished. I may remind honourable member that there are no Commissioners at least in one of the provinces, i.e., Madras and it is carrying on merrily. I may also tell them that the body which decided that the posts of Commissioners should be reduced from ten to five included experts, the Senior Member of the Board of Revenue as well as those who have themselves served as Commissioners. So on that point about constitutional difficulty I am unable to follow my friends at all. It is an administrative question which has nothing to do with the constitution at all.

The Hon'ble the Finance Member admits that the passage of the Agra Tenancy Act must result in considerable reduction of the appellate work of the Commissioners. The proposal made by me does not aim at a reduction of more than two or three Commissioners at the most. It is always open to the Government to divert funds from non-votable to votable. Under this head we have got an allotment of 7½ lakhs and if we take away 2 lakhs, there will still be 5½ lakhs. Unless the Council follows up the decision that it took before, there was no point in passing that resolution. I will not belabour the point further, as I think that this is the only time when we can make an effective cut. As about more than a hundred of our motions are to be guillotined I hope honourable members will bear this point in mind when they vote on this motion. If they cut away these two lakhs they will at least have the satisfaction that in this top-heavy system they have at least effected an economy under one head which may have some bearing even on other heads.

*The motion was put and the Council divided as below:—*

*Ayes, 42; Noes 30.*

*Ayes.*

Pandit Rahas Bihari Tiwari  
Babu Sampurnanand.  
Babu Bhagwati Shai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Pandit Nanak Chand.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Lala Nemi Saran.  
Chaudhri Badri Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.

Pandit Bhagwat Narayan Bhargava.  
Thakur Har Prasad Singh.  
Lieut. Raja Durga Narayan Singh.  
Pandit Doota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.

*Ayes.*

Mr. Mukandi Lal.  
 Rai Bahadur Babu Mohan Lal.  
 Rai Bahadur Pandit Sankata Prasad  
 Bajpai.  
 Raja Raghuraj Singh.  
 Mr. C. Y. Chintamani.  
 Manvi Zahur-ud-din.  
 Saiyid Tufail Ahmad.  
 Nawabzada Muhammad Liaquat Ali  
 Khan.

Lieut. Khan Bahadur Nawabzada Abdus  
 Sami Khan.  
 Maulvi Muhammad Obaid-ur-Rahman  
 Khan.  
 Shaikh Abdullah.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Mr. Muhammad Habib.  
 Rai Bahadur Lala Mathura Prasad Mehro-  
 tra.  
 Raja Jagannath Bakhs Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad  
 Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.

Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Colonel G. Tate.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Babu Ram Charana.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Shaikh Ghulam Husain.  
 Khan Bahadur Shaikh Saiyid Muhammad  
 alias Maiku Mian.  
 Khan Bahadur Maulvi Muhammad Fazl-ur-  
 Rahman Khan.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Shaikh Muhammad Habib-ullah.  
 Chaudhri Niamat-ullah.

**The Hon'ble the President:** The Governor has fixed 5 p. m. today as the maximum time-limit for the discussion of the demand and under Rule 29 of the United Provinces Legislative Council Rules I have to put forthwith every question necessary to dispose of the demand under discussion. Therefore, without any further discussion, I shall put the demand under General Administration to the House. The original motion was for a grant of Rs. 1,07,39,448 . . .

**Pandit Govind Ballabh Pant:** Before you put the question to the House I wish to invite your attention to the rule on which it is difficult for me to lay my hand at once which prescribes that whichever demand has not been disposed of within the time-limit prescribed for the discussion might be put before the House on the last day.

**The Hon'ble the President:** The honourable member has been a bit premature. I am at present putting only the General Administration demand. I was saying that the original demand was for Rs. 1,07,39,448. Since then the Council has carried cuts to the extent of Rs. 2,58,131. The question is that a sum of Rs. 1,04,81,317 be granted.

*The demand was put and voted.*

*The Council was then adjourned till Monday, March 14, 1927.*

## APPENDIX A.

(See page 268 *supra*.)

*Statement showing the number of days spent by the Director of Public Instruction at Allahabad, Lucknow, Naini Tal, and other places on tour.*

Years.	At Allahabad.	At Lucknow.	At Naini Tal.	At other places.	On tours of inspection.
1920-21* .. ..	154	35	46	4	34
1921-22 .. ..	120	96	86	15	42
1922-23* .. ..	110	52	37	..	16
1923-24 .. ..	131	29	164	2	19
1924-25 .. ..	129	52	148	6	20
1925-26.. ..	170	77	97	2	14

\* Complete information for these years is not available.

## APPENDIX B.

(See page 269 *supra*.)

STATEMENT REFERRED TO IN THE ANSWER TO STARRED  
QUESTION NO. 13 OF MARCH 12, 1927.

*Statement showing the number of fire-arm licences for protection, shikar, and agriculture in force at the end of January, 1927.*

District.	For protection.	For sport.	For protection and sport.	For crop protection.
Moradabad .. ..	507	..	608	66
Bareilly .. ..	141	1,376	..	1
Bijnor .. ..	617	380	..	198
Budaun .. ..	..	..	*1,008	12
Filibhit .. ..	207	..	279	102
Shahjahanpur .. ..	217	3	696	20

\* Note.—In this district no discrimination is made between the purposes for which licences in form XVI are issued. The figure represents the total number of licences in form XVI.

## APPENDIX C.

*(See page 269 supra.)*STATEMENT REFERRED TO IN THE ANSWER TO STARRED QUESTION  
NO. 14 OF MARCH 12, 1927.*Statement showing the number of fire-arm licences cancelled  
during the year 1926.*

Moradabad	...	...	... 122
Bareilly	...	...	... 13
Bijnor	...	...	... 17
Budaun	...	...	... 37
Pilibhit	...	...	... 61
Shahjahanpur	...	...	... 101

\* NOTE.—A large number of licences, included in the above statement, were automatically cancelled for such natural causes as the death of the licensee.

## APPENDIX D.

(See page 271 *supra*.)

Statement referred to in the answer to starred question no. 23  
for March 12, 1927.

Serial No.	District.	Name of institution	Yearly grant from March 1, 1926.
<i>Associated Colleges</i>			Rs.
1	Meerut ..	Meerut College .. .. .	33,861
2	Agra ..	Agra College .. .. .	72,979
3	Do. ..	St. John's College .. .. .	64,959
4	Bareilly ..	Bareilly College .. .. .	27,900
5	Gorakhpur ..	St. Andrew's College .. .. .	29,404
6	Cawnpore ..	D. A.-V. College .. .. .	28,248
7	Do. ..	Sanatan Dharm College .. .. .	25,482
<i>Intermediate Colleges for boys.</i>			
1	Dehra Dun ..	D. A.-V. Intermediate College .. .. .	21,108
2	Bulandshahr ..	Nathimal Ram Sahai Mal E. C. Intermediate College, Kurja ..	22,672
3	Aligarh ..	Muslim University Intermediate College ..	23,496
4	Agra ..	Radha Swami Educational Institute .. .. .	20,424
5	Moradabad ..	S. S. M. Intermediate College, Chandausi ..	31,876
6	Allahabad ..	Kayastha Pathshala College .. .. .	31,200
7	Cawnpore ..	Christ Church Intermediate College .. .. .	24,996
8	Lucknow ..	Lucknow Christian Intermediate College ..	22,548
9	Do. ..	Kanya Kuber Intermediate College .. .. .	17,040
10	Do. ..	Shia Intermediate College .. .. .	12,000
<i>Intermediate Colleges for girls.</i>			
1	Allahabad ..	Crosthwaite Girls' Intermediate College ..	26,424
2	Benares ..	Theosophical National Girls' Intermediate College ..	14,388
<i>High Schools for boys.</i>			
1	Meerut ..	Church Mission High School .. .. .	3,400
2	Do. ..	Jat Vedic High School, Baraut .. .. .	7,200
3	Do. ..	Digambar Jain High School, Baraut .. .. .	5,604
4	Do. ..	Devanagiri High School .. .. .	10,200
5	Do. ..	Nanak Chand Anglo-Sanskrit High School ..	7 -

Serial No.	District.	Name of institution.	Yearly grant from March 1, 1926.
<i>Intermediates Colleges for boys—(concluded).</i>			Rs.
6	Meerut ..	Cantonment Anglo-Vernacular High School ..	6,408
7	Do. ..	Faiz-i-Am High School .. ..	6,996
8	Do. ..	Shambhu Dayal High School, Ghaziabad ..	6,600
9	Dehra Dun ..	American Presbyterian Mission High School ..	11,496
10	Bulandshahr ..	Anglo-Vernacular High School, Sikandrabad ..	5,445
11	Do. ..	King Edward Memorial Jat High School, Lakhauti ..	6,600
12	Do. ..	Janki Prasad Anglo-Sanskrit High School, Khurja ..	9,600
13	Do. ..	Anglo-Vedic High School, Anupshahr ..	7,800
14	Do. ..	Kuber High School, Debai .. ..	4,800
15	Muzaffarnagar ..	Edward Anglo-Sanskrit High School .. ..	6,000
16	Do. ..	D. A.-V. High School .. ..	5,808
17	Saharanpur ..	Islamic Anglo-Vernacular High School .. ..	5,256
18	Do. ..	Kashi Ram High School .. ..	4,188
19	Aligarh ..	Dharma Samaj High School .. ..	12,000
20	Do. ..	D. A.-V. Pathshala .. ..	6,180
21	Do. ..	Kayastha Pathshala High School .. ..	7,200
22	Do. ..	Phoolchand Bagla A. S. High School, Hathras ..	10,200
23	Agra ..	St John's High School .. ..	12,996
24	Do. ..	Victoria High School .. ..	8,400
25	Do. ..	Railway Anglo-Vernacular School, Tundla ..	8,280
26	Do. ..	Sri Ram Chandra Victory High School, Firozabad ..	6,000
27	Do. ..	Baptist Mission High School .. ..	9,264
28	Do. ..	Munif-i-Am High School .. ..	8,100
29	Do. ..	Shoaib Muhammadia High School .. ..	10,980
30	Do. ..	D. A.-V. High School .. ..	5,016
31	Muttra ..	Kishori Raman High School .. ..	6,696
32	Mainpuri ..	Abhir Kshatriya High School, Shikohabad ..	5,100
33	Moradabad ..	Parker High School .. ..	7,560
34	Do. ..	Hewett Muslim High School .. ..	7,200

Serial No.	District.	Name of institution	Yearly grant from March 1, 192
		<i>High Schools for boys—(continued).</i>	Rs.
35	Moradabad ..	Dhian Singh Memorial High School, Kanth ..	6,540
36	Do. ..	Coronation Hindu High School ..	7,080
37	Do. ..	King George Union High School, Sambhal ..	3,600
38	Bareilly ..	Western Inglis Memorial High School ..	11,376
39	Do. ..	Eastern Inglis Memorial High School ..	7,464
40	Do. ..	Edward Memorial High School ..	4,224
41	Budaun ..	Moston Islamia High School ..	7,500
42	Shahjahanpur ..	American Methodist Episcopal Mission High School	9,192
43	Farrukhabad ..	Diamond Jubilee High School, Kanauj ..	8,880
44	Do. ..	Aditya Kumari Kshattriya High School, Tirwa ..	4,800
45	Allahabad ..	Modern High School ..	9,840
46	Do. ..	Daraganj High School ..	7,920
47	Do. ..	Anglo-Bengali High School ..	9,000
48	Do. ..	Vidya Mandir High School ..	8,400
49	Do. ..	City Anglo-Vernacular High School ..	11,400
50	Do. ..	D. A.-V. High School ..	6,000
51	Etawah ..	Sanatan Dharam High School ..	7,200
52	Do. ..	Islamia High School ..	8,004
53	Cawnpore ..	Halim Muslim High School ..	10,008
54	Do. ..	D. A.-V. High School ..	8,400
55	Do. ..	Pandit Prithi Nath High School ..	10,200
56	Do. ..	Gur Narayan Khattri School ..	6,000
57	Do. ..	Kanya Kubja High School ..	6,600
58	Do. ..	B. N. Sanatan Dharm High School ..	5,400
59	Jhansi ..	MacDonnel High School ..	11,400
60	Jaunpur ..	Priya Nath Gosh High School ..	7,884
61	Do. ..	Kshattriya High School ..	7,644
62	Benares ..	London Mission High School ..	11,424
63	Do. ..	Jai Narain's High School ..	12,180
64	Do. ..	Bengali Tola High School ..	7,368

Serial No.	District.	Name of institution.	Yearly grant from March 1, 1926.
<i>High Schools for boys—(continued).</i>			Rs.
65	Benares ..	Harish Chandra High School ..	11,004
66	Do. .	Anglo-Bengali High School.. ..	6,024
67	Do. ..	D. A.-V High School .. ..	7,680
68	Ghazipur ..	City High School .. ..	10,694
69	Ballia ..	A.-V. High School .. ..	4,452
70	Do. ..	L.-D. Meston High School, Ballia ..	4,800
71	Mirzapur ..	Rani Suryapal Kunwar High School ..	9,012
72	Do. ..	Anglo-Sanskrit Jubilee High School ..	5,424
73	Gorakhpur ..	St. Andrew's Collegiate School ..	10,596
74	Do. ..	Gorakhpur High School .. ..	12,380
75	Do. ..	George Islamia High School .. ..	7,644
76	Azamgarh ..	Wesley High School .. ..	15,156
77	Do. ..	George High School .. ..	6,000
78	Do. ..	Smith High School, Azmatgarh ..	6,000
79	Basti ..	Ratan Sen High School, Bansi ..	9,600
80	Do. ..	Anglo-Sanskrit High School .. ..	3,300
81	Almora ..	Ramsay High School .. ..	14,220
82	Naini Tal ..	Humphrey High School .. ..	11,892
83	Do. ..	Udayraj Hindu School, Kashipur ..	7,200
84	Do. ..	Messmore High School, Pauri ..	+90 11,496
85	Lucknow ..	Queen's Anglo-Sanskrit High School ..	10,200
86	Do. ..	Harichand High School .. ..	8,400
87	Do. ..	C. M. S. Birkett High School .. ..	9,684
88	Do. ..	Kali Charan High School .. ..	6,300
89	Do. ..	Aminabad High School .. ..	8,640
90	Do. ..	Amir-ud-daula Islamia High School ..	7,200
91	Do. ..	D. A.-V. High School .. ..	8,400
92	Do. ..	Girdhari Singh Pathshala .. ..	5,400
93	Do. ..	Colvin Taluqdar's School .. ..	29,967
94	Sitapur ..	Seth Jai Dayal's High School, Biswan ..	6,780



Serial No.	District.	Name of institution.	Yearly grant from March 1, 1926.
<i>High School for boys— (concluded).</i>			Rs
95	Sitapur ..	Colvin High School, Mahmudabad .. ..	6,996
96	Do. ..	Raja Raghubar Dayal's Anglo-Vernacular High School.	5,100
97	Hardoi ..	King George Kshattriya High School .. ..	6,600
98	Kheri ..	Dharam Sabha High School, Lakhimpur ..	5,508
99	Unao ..	Kedar Nath Diamond Jubilee High School, Mau-rawan.	7,476
100	Rae Bareilly ..	Hindu High School .. ..	5,472
101	Gonda ..	Lyall Collegiate School, Balrampur .. ..	10,200
102	Partabgarh ..	Ajit Sombansi High School .. ..	6,600
103	Fyzabad ..	Manohar Lal High School .. ..	8,220
104	Do. ..	Forbes High School .. ..	5,952
<i>High School for girls.</i>			
1	Dehra Dun ..	American Presbyterian Mission Girls' High School	7,608
2	Do. ..	Mahadevi Kanya Pathsbala .. ..	7,500
3	Meerut ..	M. E. Mission Girls, High School .. ..	4,296
4	Agra ..	Queen Victoria Girls, High School .. ..	7,082
5	Allahabad ..	Mary Wanamaker Girls, High School .. ..	7,284
6	Do. ..	Jagat Taran Girls, High School .. ..	8,400
7	Lucknow ..	Muslim Girls, High School.. ..	9,600

## APPENDIX E.

(See page 271 *supra*.)

*Statement showing the action taken on the nominal cuts made by the  
Legislative Council in the budget for 1926-27.*

Serial No	Head.	Amount	Reason for the nominal cut.	Action taken.
		Rs.		
1	Medical—Superintendence—Provision for leave arrangements.	1	Abolition of the post of Inspector-General of Civil Hospitals.	No action has been taken
2	Medical—Medical establishment.	1	To bring to notice the grievances of I. M. D. officers in civil employ.	I. M. D. civil surgeons has been permitted to count previous period of service as civil surgeon for increments in the time-scale of pay; and the requisite supply was obtained through a supplementary estimate.
3	Irrigation ..	100	Protest against high canal rates.	Government have decided that the existing canal rates cannot be reduced.
4	Police—Village police.	100	Increase in the number of chaukidars.	A scheme is ready. Its adoption depends on funds being available.
5	General administration—Legislative Council.	101	More meetings and more days for non-official business.	The allotment of days for business is fixed by His Excellency the Governor.
6	General administration—Secretariat.	12	Protest against slow progress of Secretariat Indianization.	Government propose to appoint another Indian officer as Deputy Secretary in the near future.
7	General administration—Commissioners.	10	Protest against non-reduction of the posts of commissioners.	No action regarding the abolition of the posts of commissioners is contemplated until the effect of the new Tenancy Act on appellate work is known.
8	General administration—Board of Revenue.	101	Protest against the circular regarding ejectment suits.	Section 276 of the Agra Tenancy Bill disposed of this matter.
9	Education ..	10	Protest against insufficient help to Aligarh and Benares universities.	No action has been taken.

## APPENDIX F.

(See page 279 supra.)

STATEMENT REFERRED TO IN QUESTION NO. 79 FOR 12-3-'27.

*Budget of the United Provinces Arts and Crafts Emporium  
for 1926-27.*

Heads and items.	1926-27.	
	No.	Estimate.
INDUSTRIES.		Rs.
I.—SALARIES.		
Allowance to Controller at Rs. 200 per mensem .. ..	..	2,400
Total, Salaries .. ..	..	2,400
II.—ESTABLISHMENT.		
1. Instructors—		
Supervisor and salesman (Rs. 140—5—165) .. ..	1	1,680
2. Clerks—		
Stenographer (Rs. 90—5—105—7—140) .. ..	1	1,200
Accounts clerk (Rs. 65—2—75) .. ..	1	828
Draftsman (Rs. 65—2—75) .. ..	1	828
Typist (Rs. 45—4—65) .. ..	1	588
Stock-keeper (Rs. 50) .. ..	1	600
3. Servants and attendants—		
Carpenter (Rs. 40) .. ..	1	480
Packer (Rs. 25) .. ..	1	300
Do. (Rs. 20) .. ..	1	240
Jamadar at Rs. 16 .. ..	1	192
Cleaner at Rs. 13 .. ..	1	156
Chaprasia at Rs. 13 each .. ..	2	312
Total, Establishment .. ..	13	7,404
III.—ALLOWANCES, HONORARIA, ETC.		
Travelling allowance .. ..	..	500
Deduct—Probable saving.. ..	..	40
Total, Allowances, etc. .. ..	..	460

Heads and items.	1926-27.	
	No.	Estimate.
IV.—SUPPLIES AND SERVICES.		
		Rs.
Commercial operations .. .. .	..	25,000(a)
Total, Supplies and services ..	..	25,000
V.—CONTINGENCIES.		
<i>Contract district.</i>		
Pay of menials .. .. .	..	270
Other miscellaneous charges .. ..	..	1,486
Total, Contract district ..	..	1,756
<i>Non-contract district.</i>		
Rents .. .. .	..	4,800
Hot and cold weather charges .. ..	..	300
Total, Non-contract district ..	..	5,100
Total, Contingencies ..	..	6,856
Total, U. P. Arts and Crafts Emporium ..	..	42,120

	Rs.
(a) Gross expenditure .. .. .	1,00,000
Recoveries .. .. .	75,000
Net expenditure .. .. .	25,000

## APPENDIX G.

(See page 279 *supra*.)

*Statement referred to in the answer to starred question No. 80 asked by DR. SHAFAT AHMAD KHAN for the meeting of 12-3-'27.*

Year.	Name.	Subject.	Qualifications before the scholar was sent abroad.	Present employment and remarks.
1922	Mr. Ramacharam.	Glass industry	B.Sc. of the Allahabad University.	At present employed in the Hindu University, Benares, as an instructor of Commerce.
1923	Mr. R. D. Pant	Dyeing and Printing of textiles.	Read up to the Intermediate standard of Allahabad University. A passed student of the Foreman Dyers' class of the Government school of Dyeing and Printing, Cawnpore. Passed the City and Guilds Institute examinations in cotton, wool and silk dyeing, and textile printing.	Employed till lately in the Cawnpore Dyeing and Cloth Printing Co., Ltd., but resigned his post about three months ago. His present whereabouts are not known.
1924	Dr. N. G. Chatterjee.	Oil industry ..	M.Sc. and D.Sc. of the Allahabad University.	Owing to a technical objection, Government ultimately placed him on deputation.
1925	Syed Haider Raza,	Leather industry.	B.Sc. in 1924, M.Sc. Previous in 1925.	Still under training in England
1925	Mr. N. N. Chakravarti.	Electrical Engineering.	I. Sc. of the Allahabad University, L.M.B. from the Victoria Jubilee Institute, Bombay, with 1st class honours.	Ditto.
1926	Mr. Raza Husain.	Sugar industry	B.Sc. Diploma—holder in applied chemical research from the Government Technological Institute, Cawnpore.	Ditto.
1926	Mr. Jaimangal Sinha.	Mechanical Engineering.	Passed S. L. O. Examination and Mechanical and Electrical Engineer's examination in the higher grade from the Thomason Civil Engineering College, Roorkee, also the City and Guilds Institute (London) examination in mechanical engineering.	Ditto.

## APPENDIX H.

(See page 280 *supra*.)

Statement showing the distribution of the sanctioned strength of the District Intelligence staff referred to in the answer to part (1) of starred question No. 83 of March 12, 1927.

No.	District.	Sub-inspec- tors.	Head constables.	Constables.
1	Dehra Dun .. ..	1	3	4
2	Saharanpur .. ..	2	3	4
3	Muzaffarnagar .. ..	1	2	2
4	Meerut .. ..	1	3	4
5	Bulandshahr .. ..	1	2	2
6	Aligarh.. ..	1	2	4
7	Muttra.. ..	2	3	6
8	Agra .. ..	2	3	6
9	Mainpuri .. ..	1	2	3
10	Etah .. ..	1	2	2
11	Bareilly .. ..	1	2	4
12	Bijnor .. ..	1	2	2
13	Budaun .. ..	1	2	3
14	Moradabad .. ..	1	2	3
15	Shahjahanpur .. ..	1	2	3
16	Pilibhit .. ..	1	2	2
17	Farrukhabad .. ..	1	2	3
18	Etawah .. ..	1	2	3
19	Cawnpore .. ..	2	4	6
20	Fatehpur .. ..	1	2	2
21	Allahabad .. ..	2	6	8
22	Jhansi.. ..	1	2	4
23	Jalaun .. ..	1	2	2
24	Hamirpur .. ..	1	2	2
25	Banda .. ..	1	2	2
26	Benares .. ..	3	8	10

## APPENDICES.

No.	District.				Sub-Inspec- tors.	Head constables.	Constables.
					1	2	2
27	Mirzapur	..	..	..	1	2	2
28	Jaunpur	..	..	..	1	2	2
29	Ghazipur	..	..	..	1	2	2
30	Ballia ..	..	..	..	1	2	4
31	Gorakhpur	..	..	..	1	2	2
32	Basti ..	..	..	..	1	2	4
33	Azamgarh	..	..	..	1	2	2
34	Kumaun division ..	..	..	..	2	5	6
35	Lucknow	..	..	..	1	2	2
36	Unao ..	..	..	..	1	2	2
37	Rae Bareli	..	..	..	1	2	2
38	Sitapur	..	..	..	1	2	2
39	Hardoi..	..	..	..	1	2	4
40	Kheri ..	..	..	..	1	2	2
41	Fyzabad	..	..	..	1	2	2
42	Gonda ..	..	..	..	1	2	2
43	Bahraich	..	..	..	1	2	2
44	Sultanpur	..	..	..	1	2	4
45	Partabgarh	..	..	..	1	2	
46	Sara Banki	..	..	..	1	2	
	Total				..	54	112
							147

## APPENDIX I.

(See page 280 *supra*.)

*Statement showing the staff employed in the Finger Print Bureau and the allowances paid to them.*

## STAFF.

One inspector.

Twenty-two sub-inspectors.

Four clerks.

One daftri.

One office orderly.

## ALLOWANCES.

*Inspector.*—Duty allowance at Rs. 60 per mensem.

Conveyance allowance at Rs. 25 per mensem.

House rent allowance at Rs. 70 per mensem.

*Sub-inspectors.*—Duty allowance at Rs. 30 per mensem each.

House rent allowance at Rs. 15 per mensem each.



# LEGISLATIVE COUNCIL.

## UNITED PROVINCES OF AGRA AND OUDEL.

*Monday, March 14, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 A.M.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

### PRESENT (100).

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colone G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Sri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sundar Lal.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.

Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pando.  
Mr. Mukand Lal.  
Sirdar Nihal Singh.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Shaikh Ghulam Husain.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Niamat-ullah.  
Mr. Muhammad Habib.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Mr. E. M. Souter.  
Mr. J. P. Srivastava.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## QUESTIONS AND ANSWERS.

**STARRED QUESTIONS.**

## INTERPRETATION OF DISTRICT BOARD PUBLIC WORKS RULES.

\* 1. **Chaudhri Mangat Singh** : Has the attention of the Government been drawn to the fact that some misapprehension prevails in some district boards regarding the true interpretation of public works rules, section 1, published in the *United Provinces Gazette* of October 3, 1925, page 938?

**The Hon'ble Nawab Muhammad Yusuf** : No.

\* 2. **Chaudhri Mangat Singh** : Will the Government be pleased to state—

(a) (1) whether there is any distinction in the status or qualification of persons for the purpose of these rules between those who hold a overseer certificate and a sub-engineer certificate of the Thomason Civil Engineering College, Roorkee?  
(2) If so, what?

(b) in what clauses of rule 2 will each of such persons fall?

**The Hon'ble Nawab Muhammad Yusuf** : (a) (1) No.

(2) Does not arise.

(b) Both fall under clause (d) of sub-rule (2) of rule 1.

\* 3. **Chaudhri Mangat Singh** : (1) Will the Government be pleased to state if there was or is any separate examination for a sub-engineer's certificate?

(2) Is it true that students reading in the overseers' class with a certain percentage of marks are awarded the sub-engineer certificate?

**The Hon'ble Nawab Muhammad Yusuf** : (1) No.

(2) Yes.

\* 4. **Chaudhri Mangat Singh** : Will the Government be pleased to say if a sub-engineer of the class mentioned in the above question will fall in any case under clause (a), (b) or (c) of rule 2 of these rules for the purpose of rule 3?

**The Hon'ble Nawab Muhammad Yusuf** : A sub-engineer comes under sub-rule (2) (d) of rule 1.

## COUNCIL SESSIONS.

\* 5. **Mr. C. Y. Chintamani** : Are the Hon'ble Ministers consulted about the dates, the duration, and the arrangement of business of sessions of this Council?

**The Hon'ble Sir Sam O'Donnell** : The dates and duration of the sessions and the allotment of days for the disposal of each class of business are determined not by the Government, but by His Excellency the Governor.

**Mr. C. Y. Chintamani** : Is it a fact that either or both the members of the Executive Council are consulted in the matter?

**The Hon'ble Sir Sam O'Donnell** : I cannot say anything whatever as regards the consultation by His Excellency the Governor.

**Pandit Badri Dutt Pande :** Is the President also consulted in the matter ?

**The Hon'ble the President :** He does not come in, and so the question does not arise.

**RULES OF EXECUTIVE BUSINESS.**

\* 6. **Mr. C. Y. Chintamani :** Have any changes been effected in the Rules of Executive Business since they were first made in 1921 ?

**The Hon'ble Sir Sam O'Donnell :** I am not in a position to answer questions relating to the rules of Executive Business. In the first place, they are confidential, and in the second place they are framed by His Excellency the Governor under the discretion vested in him by the Government of India Act.

**ADDITIONAL AND DIVISIONAL COMMISSIONERS.**

\* 7. **Mr. C. Y. Chintamani :** (a) For how much longer will there be two additional commissioners ?

(b) When do the Government intend to recommend to higher authority to abolish particular posts of divisional commissioners, and which of them ?

**The Hon'ble Sir Sam O'Donnell :** (a) These temporary appointments ceased at the end of February and the beginning of March.

(b) The honourable member is referred to the answer to starred question No. 10 of January 27. Which commissionership will be considered for abolition is a matter for determination when the position is clear.

*Copy of starred question No. 10 asked by BABU NEMI SARAN SAHIB on January 27, 1927, and the reply given thereto.*

**QUESTION.**

\* After the enactment of the new Tenancy Act has the Government considered the question of the abolition of Commissionerships ? If so, with what result and, if not, why not ?

**ANSWER.**

\* The new legislation has not had time to effect the amount of judicial work in commissioners' courts. It is too early yet to say what the result will be.

**SETTLEMENT COMMISSIONER.**

\* 8. **Mr. C. Y. Chintamani :** (a) Will the Government be pleased to lay on the table a copy of the resolution, if there be any, to appoint a settlement commissioner ?

(b) What are his functions ?

(c) To whom does he report ?

(d) What is the duration of the appointment ?

**The Hon'ble Sir Sam O'Donnell :** (a) There was no resolution.

(b) To supervise settlements.

(c) The Board of Revenue.

(d) The post has been sanctioned for six years.

**CHIEF SECRETARY TO GOVERNMENT.**

\* 9. **Mr. C. Y. Chintamani :** Will the Government be pleased to state in what respect and to what extent the functions of the Chief Secretary differ from those of other Secretaries to Government ?

**The Hon'ble Sir Sam O'Donnell :** The duties of the Chief Secretary are taken, as a whole, more important than those of any other Secretary.

\*10. **Mr C. Y. Chintamani :** Do the Chief Secretary and the Chief Engineers and Secretaries in the Public Works department continue to be paid daily allowances of rupees ten for living at Lucknow?

**The Hon'ble Sir Sam O'Donnell :** No.

#### INDIAN SECRETARIES AND DEPUTY SECRETARIES TO GOVERNMENT.

\*11. **Mr. C. Y. Chintamani :** Is it the intention of Government to take an early opportunity of increasing the number of Indian Secretaries and Deputy Secretaries to Government?

**The Hon'ble Sir Sam O'Donnell :** Mr. Panna Lal will take the place of Mr. Hallows, Deputy Secretary, Industries, in April.

#### APPOINTMENT DEPARTMENT OF THE SECRETARIAT.

\*12. **Mr. C. Y. Chintamani :** (a) What are the functions of the Appointment department in the Secretariat? What is its strength, and what is its cost?

(b) Is the department under the control of both members of the Executive Council or only of the Hon'ble the Finance Member?

(c) Are the postings and transfers of district and sessions judges, of Indian Civil Service, sessions and subordinate judges, and of superintendents and assistant superintendents of police in charge of the Hon'ble the Home Member?

**The Hon'ble Sir Sam O'Donnell :** (a) A statement is laid on the table.

(b) It is in the portfolio of the Finance Member.

(c) No.

*(See Appendix A, page 429.)*

#### CORRUPTION AMONG OFFICERS.

\*13. **Mr C. Y. Chintamani :** (a) How many, if any, officers of all-India or Imperial services or other European officers have had to be dealt with for corruption or other malpractices by this Government during the last seven years? In what departments?

(b) How many have been (i) prosecuted; (ii) dismissed; (iii) dispensed with; (iv) forced to resign; (v) reduced; (vi) deprived of promotion; (vii) let off with warning or censure?

**The Hon'ble Sir Sam O'Donnell :** (a) No officers of the all-India or Imperial services have been so dealt with. Of other European officers there were two in the Revenue department (a toll collector at Benares, and a special manager, Court of Wards), one in the Forest department (an extra assistant conservator of forests), three in the Agriculture department (one a farm manager, two officiating superintendents of gardens), and four in the Industries department (chief inspector of factories, an inspector of boilers, and a principal and vice-principal of the School of Arts and Crafts).

(b) Two officers were prosecuted and convicted, four were dismissed, two resigned, one was reduced, and in the remaining case increments and promotions were stopped.

(The above answer does not cover non-gazetted officers in the police, where the examination of seven years' records will take some time).

**Babu Sampurnanand :** Was there any case of deliberate rascality among the officers mentioned ?

**The Hon'ble Sir Sam O'Donnell :** I ask for notice.

# INDIAN DEPUTY DIRECTOR OF AGRICULTURE AND ROYAL COMMISSION ON AGRICULTURE.

**\*14. Mr. C. Y. Chintamani :** (a) Why was no Indian Deputy Director of Agriculture sent before the Royal Commission on Agriculture for examination ?

(b) Did the Government make no recommendation in this behalf to the Commission, or did the Commission not accept their recommendation ?

**The Hon'ble Thakur Rajendra Singh :** The Royal Commission could only examine a very limited number of official witnesses during their stay in this province. Therefore the names of only (1) the Director of Agriculture, (2) the most senior Deputy Director of Agriculture, who had also officiated as Director, and (3) the Deputy Director, in charge of Cattle-breeding Operations, were suggested to the Commission for oral examination.

**Mr. C. Y. Chintamani :** Is it a fact that the Director of Agriculture was questioned by the Royal Commission as to whether there were any Indians in the province occupying the position of Deputy Director, and, if so, why no one was placed before the Commission for evidence ?

Will the Hon'ble Minister be pleased to inquire into the matter ?

**The Hon'ble Thakur Rajendra Singh :** Yes, I will do so.

# COOKS IN IMPERIAL HOTEL, LUCKNOW.

**\*15. Pandit Badri Dutt Pande :** How many cooks are there in the "Imperial hotel," Lucknow, now used as residential quarters for Members of the Legislative Council ?

What is the rate and scale of their pay ?

**The Hon'ble Sir Sam O'Donnell :** One Muslim cook on Rs. 25 per mensem and one Hindu cook on Rs. 13 per mensem.

**Pandit Badri Dutt Pande :** May I inquire why there is this difference of pay between the two ?

**The Hon'ble Sir Sam O'Donnell :** I do not remember at the moment why there is disparity in pay between the two, but when I passed the draft reply I considered it quite satisfactory. In any case, I shall let the honourable member know.

**\*16. Pandit Badri Dutt Pande :** [*Postponed at the request of Government till March 29, 1927.*]

# LATRINES IN MELA RAKES OF THE EAST INDIAN RAILWAY.

**\*17. Pandit Badri Dutt Pande :** (a) Does the Government know that there are no latrines in some of the *méla* rakes of the East Indian Railway ?

(b) Will the Government inquire and take necessary steps to remedy the defect ?

**The Hon'ble Sir Sam O'Donnell :** The question is one which should be put in one of the Houses of the Central Legislature.

**TOTAL NET INCOME OF KUMAUN FORESTS AND ANNUAL CONTRIBUTION TO DISTRICT BOARDS.**

**\* 18. Pandit Badri Dutt Pande :** (a) What is the total net income from all the forests of the Kumaun division for the last three years ?

(b) What is the total annual contribution from the forest income to the district boards of Almora, Garhwal, and Naini Tal for the last three years ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**

(a) Approximately Rs. 37½ lakhs.

(b) The Government contributions to the district boards of Almora, Garhwal, and Naini Tal are made from general revenues and not from forest income. These have totalled Rs. 23 lakhs during the last three years. But, presumably, the honourable member is thinking of the so-called "forest grant" of rupees two lakhs annually. If so, that should be compared with the figures of the Kumaun forest circle only; for the "forest grant" takes its origin from and is given on account of the forest settlements of 1911 to 1917 in the Kumaun forest circle only. The total net income of the Kumaun forest circle during the last three years has been Rs. 3,528 and the total of the "forest grant" to the board in the same period has been rupees six lakhs.

**Pandit Badri Dutt Pande :** In view of the fact that the Kumaun forest circle is not paying its way will the Government consider the desirability of abolishing it and of opening instead a resin division ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In the first place, the Kumaun forest circle is paying its way. Besides, it is maintained not merely with a view to derive income from it, but also with a view to protect the trees, which again are a source of income, and to provide more water to rivers.

**Pandit Badri Dutt Pande :** In view of the fact that the Government have to spend nine lakhs in order to make an income of nine lakhs, may I know if they consider it a good bargain ?

**The Hon'ble the President :** It is a matter of opinion.

**\* 19. Pandit Badri Dutt Pande :** [*Postponed at the request of Government till March 26, 1927.*]

**RAILWAY LINE FROM KATHGODAM TO BAREILLY.**

**\* 20. Pandit Badri Dutt Pande :** (a) What are the present rates of fares of the Rohilkund and Kumaun Railway Company from Kathgodam to Bareilly, and *vice versa*, and when were these rates promulgated ?

(b) Why is there no fencing in the above lines ?

(c) How many persons and cattle were killed in accidents in this line during the last three years due to the absence of proper fencing ?

(d) Are there any arrangements at all for drinking water in the stations of Atamara, Deorania, Richha Road, and others in the Rohilkund and Kumaun Railway ?

**The Hon'ble Sir Sam O'Donnell :** (a) The single journey fares from Kathgodam to Bareilly, and *vice versa*, are as follows :—

						Rs.	a.
First class ..	..	..	..	..	..	12	0
Second class..	..	..	..	..	..	5	2
Intermediate class	..	..	..	..	..	3	0
Third class ..	..	..	..	..	..	1	8

The first and the second-class fares are in force from July, 1918, the intermediate class from April, 1906, and the third class from 1889.

(b) This part of the question should be put in one of the Houses of the Central Legislature.

(c) The following fatal accidents occurred to human beings and cattle :—

						1924.	1925.	1926.
Persons ..	..	..	..	..	..	1	..	1
Cattle ..	..	..	..	..	..	3	4	1

(d) Drinking water is provided by the station staff at Atamanda, Deoranian, Richha Road, and Kichha. Watermen are provided at Baheri, Lalkua, Haldwani, and Kathgodam. At all major watering stations platform hydrants are provided, and at all stations wells are provided. Watermen and *bhistis* are also provided at all important stations, and, generally speaking, at alternate roadside stations.

**Pandit Badri Dutt Pande :** As to the third-class fare, may I point out that the distance between Kathgodam and Haldwani is four miles and the fare is five pies? May I know why Rs. 1-8-0 is charged when travelling between Bareilly and Kathgodam?

**The Hon'ble the President :** I may point out to the honourable member that question time cannot be utilized for a debate.

**Pandit Govind Ballabh Pant :** Is the Government aware of the fact that the fare from Kathgodam to Bareilly is more than the fare from Kathgodam to Haldwani and Haldwani to Bareilly if the tickets are purchased in parts?

**The Hon'ble Sir Sam O'Donnell :** I am afraid I have no knowledge. We do not settle these fares. They are settled by the Company.

STENOGRAPHERS OF THE COMMISSIONERS AND COLLECTORS.

\* 21. **Pandit Badri Dutt Pande :** Will the Government be pleased to state—

- if there is a uniform time-scale of pay for the commissioners' and collectors' stenographers? If so, what is it?
- what further avenues are open to them after attaining the maximum;
- if any of them have succeeded in securing appointments in the Secretariat since 1924;
- if it is aware of the disparity in circumstances and of the difficulties besetting many of them in getting up speed for competitive tests?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes, with one exception.

(b) Selection for a Secretariat post.

(c) No.

(d) No.

**Pandit Badri Dutt Pande :** Is it the intention of the Government to place them on one cadre ?

**The Hon'ble Sir Sam O'Donnell :** I really cannot say what the decision will be.

\* 22. **Pandit Badri Dutt Pande :** Was the question of the adequacy of stenographers' pay, especially commissioners, reconsidered some time in 1919 ? If so, with what results ?

\* 23. Do Government intend to re-open this question and reconsider deserving cases on their respective merits ?

\* 24. Do Government intend to create some sort of selection grade for the stenographers in their own cadre ?

**The Hon'ble Sir Sam O'Donnell :** The whole question of the grading and pay of stenographers is at present under the consideration of Government.

#### OFFICIALS OF REVENUE DEPARTMENT.

\* 25. **Mr. Muhammad Habib :** Will the Government be pleased to state how many officials there are in the district offices of the Revenue department in the Meerut division who are in possession of a degree of any university of this province with their substantive grades of pay ?

**The Hon'ble Sir Sam O'Donnell :** One, whose substantive pay is Rs. 35.

\* 26. **Mr. Muhammad Habib :** What provisions does the Government make for giving promotions to such officials in the Revenue department as obtain academic distinctions in their degree examinations besides having sufficient experience of work in that department ?

\* 27. **Mr. Muhammad Habib :** Are there any officials in the Revenue department who, after several years of experience in that department, have taken a first-class degree of a university but have been treated on a footing of equality with other non-qualified officials in that department in matters of promotion to higher grades of pay ?

**The Hon'ble Sir Sam O'Donnell :** In original appointments preference is given to graduates. Efficient work, and not academic distinction, is the test applied in deciding fitness for subsequent promotion.

#### SUSPENSION OF LICENCE FOR LORRY BETWEEN RATH AND KULPAHAR.

\* 28. **Thakur Har Prasad Singh :** Will the Government be pleased to give the following information :—

- (a) What is the name of the proprietor whose licence for plying lorry between Rath and Kulpahar has been suspended ?
- (b) For how many months has it been suspended ?
- (c) What was the fault of the proprietor which entailed this suspension ?
- (d) Was the proprietor summoned to submit his explanation ? If so, when ?
- (e) When was the order of suspension passed ?
- (f) Will the Government be pleased to lay on the table the order of suspension ?



**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) The lorry, the permit for plying which between Rath and Kulpahar has been suspended, is owned by Chokan Lal and Bhagwan Das of Rath.

(b) For six months.

(c) The Inspectress of Girls' schools, Cawnpore, complained to the district magistrate that she was prevented from going to Rath to inspect the girls' school there by the high-handedness of Gayasi, the agent of the owners of this lorry. She alleged that she asked for six seats in the lorry and that Gayasi demanded Rs. 60 for the return journey, the correct return fare as fixed by the district authority being Rs. 4 per seat. There had been other complaints before this and Gayasi had been warned.

(d) No. Gayasi, the agent of the proprietors, was summoned for November 18, 1926. He appeared on November 20 and filed a written explanation, and his witnesses were examined on December 8.

(e) On December 8, 1926.

(f) A copy is laid on the table.

(See Appendix B, page 430.)

\* 29. **Thakur Har Prasad Singh :** [Postponed at the request of Government till March 29, 1927.]

#### TOLA SUTTEE FAIR IN HAMIRPUR.

\* 30. **Thakur Har Prasad Singh :** Have the district authorities kept any account of the income and expenditure of Tola Suttee fair in Hamirpur district? If so, will the Government be pleased to lay it on the table?

**The Hon'ble Sir Sam O'Donnell :** Yes. The accounts are very bulky, but I have a statement of weekly income and expenditure which can be shown to the honourable member if he so desires.

#### AMENDMENT TO BUNDELKHAND LAND ALIENATION ACT.

\* 31. **Thakur Har Prasad Singh :** Has the judgment of the Hon'ble High Court in *re Ram Sahai Singh versus Debi Deen*, reported in 24, A. L. J., p. 945, been brought to the notice of the Government? If so, does the Government propose to amend the Bundelkhand Land Alienation Act (II of 1903) in order to redress the hardships of the secured creditors who on account of article 132 of the Limitation Act and the practice of sending such cases to the collector under section 9 of the Bundelkhand Land Alienation Act by the civil courts of the districts of Bundelkhand have not filed suits on mortgages within six years?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the answer given to Pandit Bhagwat Narayan Bhargava Sahib's starred question No. 36 on January 29, 1927.

*Copy of starred question No. 36 asked by PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB and its answer given on January 29, 1927, referred to in answer to starred question No. 31 for March 14, 1927.*

#### QUESTION.

\* Has the attention of the Government been drawn to the recent judgment of the Allahabad High Court regarding certain defects in the Bundelkhand Alienation Act? If so, what action has the Government taken on it?

## ANSWER.

\* (a) Yes.

(b) Government asked the Commissioner for his views and suggestions, which he has just submitted. Government are considering them.

**PANDIT KRISHNA GOPAL SHARMA PRISONER.**

\*32. **Thakur Har Prasad Singh**: Will the Government be pleased to give the following information :—

(a) In which jail Pandit Krishna Gopal Sharma of Jhansi, convicted by the Sessions Judge of Jhansi under the Arms Act, is undergoing his term of imprisonment?

(b) For how long more he will remain in jail?

(c) What was his weight when he was admitted into the jail of Jhansi as an under-trial prisoner?

(d) What is his present weight?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan**: (a) Lucknow central prison.

(b) He will probably remain in jail for a year more.

(c) 152 lb.

(d) 131 lb.

**INSPECTION OF DISTRICT BOARD INSTITUTIONS BY DISTRICT OFFICIALS.**

\*33. **Thakur Har Prasad Singh**: How many institutions of the district boards were inspected in each year between 1923 to 1926 (including 1923 and 1926) by the district magistrates, tahsildars, and naib-tahsildars in the districts of Banda, Hamirpur, Jalaun, and Jhansi?

**The Hon'ble Nawab Muhammad Yusuf**: This statistical information would be meaningless and is not worth the trouble of compilation.

**Pandit Bhagwat Narayan Bhargava**: May I know in what way it is meaningless?

**The Hon'ble Nawab Muhammad Yusuf**: The compilation of the information will involve tremendous labour. If the honourable member puts the question in a more direct form we will try to collect the information.

**Babu Bhagwati Sahai Bedar**: Is this information meaningless simply for the reason that there is trouble in the compilation of the returns?

**The Hon'ble Nawab Muhammad Yusuf**: The labour and time involved in the collection of the information are not commensurate with the object which the honourable member has in view.

\*34. **Thakur Har Prasad Singh**: [*Postponed at the request of Government till March 29, 1927.*]

**RECOMMENDATIONS OF THE OAKDEN COMMITTEE.**

\*35. **Rai Jagdish Prasad Sahib**: Will the Government be pleased to state—

(a) how many new assistant registrars, co-operative societies, are proposed to be appointed in pursuance of the recommendations of the Oakden Committee?

(b) how many of these assistant registrars will be recruited—

- (i) from the cadre of deputy collectors;
- (ii) from among the junior assistant registrars;
- (iii) directly?

**The Hon'ble Thakur Rajendra Singh :** (a) Five in 1927.

(b) No definite proportion has been fixed. Government will appoint the most competent men they can find whether it be by promotion of junior assistant registrars or otherwise.

#### SELECTION GRADES IN THE INDIAN EDUCATIONAL SERVICE.

**\*36. Mr. C. Y. Chintamani :** (a) Will the Hon'ble Minister of Education be pleased to lay on the table copies of all the orders of the Secretary of State for India or the Secretary of State in Council and of the Governor General in Council relating to selection grades in the Indian Educational Service beginning with the beginning and including the latest?

(b) If the request cannot be acceded to, will the Hon'ble Minister lay on the table the text of the Government of India's letter of last year the purport of the whole or parts of which he cited in his speech of January 26, and on the strength of which the local Government deprived Rai Bahadur Abhaya Charan Mukerji of the selection grade given to him?

(c) Will the Hon'ble Minister say whether, according to the Government of India's orders, seniority or merit is the chief determining factor in the grant of promotion to selection grades?

**\*37. (a)** With reference to the marginally-quoted observation of

"They (the Government of India) further pointed out that when selection grade posts were created in 1919 they were primarily intended to benefit the existing members . . ."

the Hon'ble Minister in his speech of January 26, will he be pleased to say whether the Government of India also ruled that the increase in the number of selection grades in 1922, consequent on the addition to the Indian Educational Service cadre of officers promoted from the United Provinces Educational Service, was also made "primarily for the benefit of the" original "members" of the

service?

(b) If the Government of India had not done so, did the local Government, before rescinding their decision of July 10, 1925, bring to their notice the addition thus made and the hardships to the promoted officers caused by their ruling?

**\*38. (a)** What is the minimum period of service which an officer is required to put in in the Indian Educational Service for him to "come within range of selection" or to "be considered eligible for selection" to the selection grades.

(b) Has such minimum period been laid down by the Governor, acting with his Ministers, or by the Governor General in Council or by the Secretary of State for India in Council?

\*"Obviously, if these officers were to be regarded as promoted to the Indian Educational Service, they could not be considered eligible for selection." The Hon'ble Minister of Education in his speech in Council of January 26.

**\*39. (a)** Was this\* the local Government's decision or the ruling of the Government of India or of the Secretary of State?

(b) Is it the intention of the Governor, acting with his Ministers, to take necessary steps to reduce the number of selection grades by one so that it may be 20 per cent. of the cadre after deducting the number of posts filled by the "imported" members of the Indian Educational Service who "could not be considered eligible for selection?"

\*40. (a) Has a copy of the report of the debate on the Education department notification of December 22 been officially forwarded to the Government of India?

(b) After that debate, has the Governor, acting with his Ministers, represented to the Government of India the strength of feeling on the subject and requested them to reconsider the position?

(c) If "yes," has a reply been received, and to what effect?

(d) If "no," will the Governor, acting with his Ministers, be pleased to take action as indicated in (a) and (b)? If not, why not?

**The Hon'ble Rai Rajeshwar Bali:** Government are unable to make any statement at present as the matter is the subject of correspondence with the Government of India.

**Mr. C. Y. Chintamani:** Will the Government be pleased to give information at least on those points in these questions which do not appear to be necessarily the subject of correspondence?

**The Hon'ble Rai Rajeshwar Bali:** Which points?

**Mr. C. Y. Chintamani:** Very well, I will speak to you later on.

\*41. **Mr. C. Y. Chintamani:** (a) Why do thirteen posts in the Indian Educational Service (Men's branch) continue to be shown as vacant instead of the cadre being reduced?

(b) Is it intended by the Government to revive the vacant post of "Professor, Queen's College," "Professor, Mair Central College," and "additional Inspector of Schools, Kumaun division and of European schools?" If "yes," why and when? If "no," why are not the posts abolished?

(c) Is it the intention of the Hon'ble Minister to bring about the abolition of these eight posts and the consequential reduction of selection grade posts by two?

**The Hon'ble Rai Rajeshwar Bali:** (a) Under the orders of the Secretary of State vacant posts cannot be abolished pending the re-organization of the service consequent on the recommendations of the Lee Commission.

(b) No. The reason for not abolishing the posts has been given in answer to part (a) of the question.

(c) The question of the abolition of these posts will be taken up along with the re-organization of the service. The number of selection grade posts cannot be reduced by two under the recent orders of the Secretary of State.

**Mr. C. Y. Chintamani:** Will the Hon'ble Minister state what were those recent orders of the Secretary of State?

**The Hon'ble Rai Rajeshwar Bali:** The orders of the Secretary of State are that so long as the number of the existing members of the Imperial Service is the same the selection grade posts cannot be abolished.

**Mr. C. Y. Chintamani :** Will the Hon'ble Minister state with reference to 42(b) whether the divisional inspectors of schools inspect vernacular schools in their charges or only English schools ?

**The Hon'ble Rai Rajeshwar Bali :** The inspection is confined to English schools, but further responsibility will be thrown on them on account of the expansion of vernacular education.

#### INSPECTORS OF SCHOOLS IN FYZABAD AND JHANSI.

\*42. **Mr. C. Y. Chintamani .** (a) For how long have there been no separate inspectors of schools in Fyzabad and Jhansi division ?

(b) Is it a fact that the burden of work of the inspectors of schools is very unequal ?

(c) Is this due to the circumstance that educational divisions have been made conterminous with revenue divisions ?

(d) Does the Hon'ble Minister intend to take steps to bring about the reduction of the number of inspectors by three or four by a fair redistribution of an inspector's charge independently of revenue divisions ?

**The Hon'ble Rai Rajeshwar Bali :** (a) Fyzabad division since March 21, 1923 ; Jhansi division since July 9, 1925.

(b) The burden is unequal, but owing to the expansion of vernacular education the inequality is not considerable.

(c) There is some inequality of work due to the circumstance stated by the honourable member.

(d) The question of the strength of the inspectorate will be considered in connexion with the scheme of re-organization of the service.

**Mr. C. Y. Chintamani :** With reference to 42(d), will the Hon'ble Minister be pleased to state when the scheme of re-organization of the service referred to here is likely to come into force ?

**The Hon'ble Rai Rajeshwar Bali :** As soon as we receive the orders of the Secretary of State.

\*43. **Mr. C. Y. Chintamani :** (a) What additional remuneration is given to the inspectors of schools, Allahabad and Lucknow, for the oversight of the Jhansi and Fyabad divisions, respectively ?

(b) What allowance had been fixed in the first instance ? When was it raised, and why ?

(c) Does the Hon'ble Minister intend to consider a reversion to the earlier scale ?

**The Hon'ble Rai Rajeshwar Bali :** (a) Rupees 20 ) per mensem.

(b) Rupees 50 per mensem. In April, 1924. Experience showed that the extra work involved was much heavier than was anticipated and consequently the allowance was raised from one-sixteenth to one-fourth of the amount permissible under the rules.

(c) No ; Rs. 20 ) per mensem is considered to be reasonable remuneration for the extra work. The allowance will cease when the service is re-organized.

## INDIAN INSPECTOR OF SCHOOLS.

44. **Mr. C. Y. Chintamani :** (a) Has the Hon'ble Minister's attention been drawn to the fact that for an appreciable time there has been only one Indian inspector of schools out of seven ?

(b) Is he aware that formerly five out of ten were Indians ?

(c) Does he intend to take steps without delay to remove this unequal treatment of Indians ?

\*44. **The Hon'ble Rai Rajeshwar Bali :** (a) There are three Indian inspectors, including one Anglo-Indian ; but for the past year one Indian inspector has been officiating as Assistant Director of Public Instruction.

(b) Yes, including one Anglo-Indian.

(c) The question of Indians holding important posts has to be looked at as a whole, and, if so looked at, there has been no retrogression.

## COUNCIL ELECTIONS.

45. **Mr. C. Y. Chintamani :** Will the Hon'ble Minister of Local Self-Government lay on the table a copy of the Government's circular regarding the active participation in Council elections of employees of local bodies ?

**The Hon'ble Nawab Muhammad Yusuf :** A copy of the circular is laid on the table.

(See Appendix C, page 431.)

\*46 and \*47. **Mr. C. Y. Chintamani :** [Postponed at the request of Government till March 29, 1927.]

## IRRIGATION COMMISSION REPORT OF 1901-1903.

\*48. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that the Irrigation Commission of 1901-1903 recommended to the United Provinces Government the introduction of canal irrigation into the districts of Moradabad and Budaun ?

**The Hon'ble Sir Sam O'Donnell :** The Commission recommended that the question of the introduction of canal irrigation into the districts of Moradabad and Budaun might be considered.

\*49. **Dr. Shafa'at Ahmad Khan :** Did the Commission suggest the construction of an inundation canal taking off from the left bank of the Ganges above or near the headworks of the Ganges Canal ?

**The Hon'ble Sir Sam O'Donnell :** Yes.

\*50. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the Commission also suggested to the local Government, in paragraph 521 of their report, the advisability of diverting a portion of the Ganges supply, and the construction of a connecting channel for irrigating Moradabad and Budaun ?

**The Hon'ble Sir Sam O'Donnell :** No. The Commission recommended that a proposal for Sarda-Ganges feeder might be investigated, and, if this were found possible, a supply might be made available for the Eastern Ganges Canal to irrigate Moradabad and Budaun.

UTILIZATION OF SARDA WATERS IN MORADABAD AND BUDAUN.

\* 51. **Dr. Shafa'at Ahmad Khan :** (1) Did the Government make any experiment or frame any proposals for the utilization of Sarda waters in Moradabad and Budaun as suggested by the Commission?

(2) If so, when were the proposals framed, and the scheme, if any, tried?

**The Hon'ble Sir Sam O'Donnell :** (1) Yes. (2) In 1913. Not tried.

IRRIGATION FACILITIES FOR MORADABAD AND BUDAUN.

\* 52. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table any scheme, proposal or experiment which they framed after the report of the Commission for affording irrigational facilities for Moradabad and Budaun?

**The Hon'ble Sir Sam O'Donnell :** \*Copies laid on the table.

\* 53. **Dr. Shafa'at Ahmad Khan :** Did the Government frame any scheme for this purpose in 1913? If so, will the Government be pleased to lay a copy thereof on the table?

**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to the reply to question No. 52.

\* 54. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what percentage of normal cropped area in Budaun and Moradabad is at present protected by irrigation?

**The Hon'ble Sir Sam O'Donnell :**

Budaun	...	31·30 per cent.
Moradabad	...	21·37 "

\* 55. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if any records exist of the average rainfall in Budaun and Moradabad districts for the last fifty years?

**The Hon'ble Sir Sam O'Donnell :** A record for the past 36 years exists.

\* 56. **Dr. Shafa'at Ahmad Khan :** Is it a fact that in both of these districts the rainfall has been deficient in no less than fifteen years out of the last fifty years, and at least four of these years have been years of famine and two of more or less severe distress?

**The Hon'ble Sir Sam O'Donnell :** The normal annual rainfall is 33·38 inches in Badaun and 38·97 inches in Moradabad. The annual rainfall has fallen below 30 inches in twelve out of the past 36 years in Badaun and nine in Moradabad. During the past 50 years there have been four years of famine or scarcity and one year of distress.

\* 57. **Dr. Shafa'at Ahmad Khan :** Do the Government intend inquiring into the possibility of both these districts with ample irrigation facilities? If so, when? If the answer be in the negative, will the Government be pleased to state the reason?

**The Hon'ble Sir Sam O'Donnell :** No; because an Eastern Ganges Canal would be the only means by which these districts could be provided with ample irrigation facilities and all water in the Ganges river is now utilized during the *rabi* season by the Western Ganges Canal while *kharif* or inundations would not pay its way.

\*58 to \*60. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 29, 1927.*]

GRANT TO MADRASA AT NAUGAON SADA'AT, TAHSIL AMROHA.

\*61. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if the managers of the *madrasa* at Naugaon Sada'at, tahsil Amroha, expressed their readiness to adopt the courses that are laid down by the Government and asked for a grant?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

\*62. **Dr. Shafa'at Ahmad Khan :** Was their request for grant considered and an inspection made? If so, when? Will the Government be pleased to state if they will consider the question of grant-in-aid to this *madrasa*?

**The Hon'ble Rai Rajeshwar Bali :** The application was considered, but an inspection has not yet been made. Government will consider the question of a grant-in-aid to the *madrass* when they receive the report of the inspector who will inspect it when he is next on tour in the neighbourhood of Amroha.

\*63 and \*64. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 29, 1927.*]

WELLS IN BAREILLY AND BUDAUN.

\*65. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the number of (a) permanent wells and (b) temporary wells in the districts of Bareilly and Budaun?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the honourable member's table.

(See Appendix D, page 431.)

\*66. **Dr. Shafa'at Ahmad Khan :** What is the total amount sanctioned by the Government for a grant or a loan to builders of temporary or permanent wells?

**The Hon'ble Sir Sam O'Donnell :** Government cannot give the information unless a period is specified for which it is required.

SALOON FOR OFFICERS OF IRRIGATION DEPARTMENT.

\*67. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the number of special saloons used by the officers of the Irrigation department, together with their total cost?

**The Hon'ble Sir Sam O'Donnell :** Only one saloon, which cost Rs. 16,000.

LEGAL TRAINING TO PROSECUTING INSPECTORS.

\*68. **Dr. Shafa'at Ahmad Khan :** (1) Will the Government be pleased to state if the Police department has framed any proposals for imparting legal training to prosecuting inspectors?

(2) If so, will the Government be pleased to lay a copy of the courses framed on the table?



**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:**

(1) No.

All civil police sub-inspectors before appointment are trained and examined in law in accordance with the curriculum laid down in part II of the rules for the Provincial Police Training School. Before they can become prosecuting inspectors they are required to pass the Mukhtar's examination of the Allahabad High Court in Criminal Law, Criminal Procedure, and the Evidence Act. On the abolition of this examination they will be examined in the same subjects at the LL.B. examination of the Allahabad University.

(2) Does not arise.

#### CURRICULUM OF THE DEPUTY COLLECTORS' EXAMINATION.

\*69. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have decided to modify the curriculum of the deputy collectors' examination, as suggested in the course of budget discussions last year, and include political science as one of the subjects in the examination?

**The Hon'ble Sir Sam O'Donnell :** Political science has already been included in the curriculum of the Deputy Collectors' examination as an optional subject.

\*70 and \*71. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till March 29, 1927.*]

#### EXAMINATION FOR DEPUTY COLLECTORS.

\*72. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have decided to ask the Public Services Commission to hold the examination which they now conduct for the deputy collectors? Do they intend doing it for the present?

**The Hon'ble Sir Sam O'Donnell :** The Public Services Commission have been asked if they can undertake to conduct this examination. They have not yet replied.

#### COMPETITIVE EXAMINATION FOR CLERICAL POSTS IN THE SECRETARIAT.

\*73. **Dr. Shafa'at Ahmad Khan :** Do the Government intend to hold a competitive examination for candidates for admission to clerical posts in the Secretariat?

**The Hon'ble Sir Sam O'Donnell :** No.

#### UNSTARRED QUESTIONS.

##### OFFICERS ON SPECIAL DUTY.

1. **Mr. C. Y. Chintamani :** How many and which officers have been placed "on special duty" during the present financial year, for what purposes, for what duration, at which places, and at what cost?

**Mr. G. B. Lambert :** A statement is laid on the table.

(See Appendix E, pages 432—433.)

2. **Mr. C. Y. Chintamani :** [*Postponed at the request of Government till March 29, 1927.*]

PROCEEDINGS OF THE SIXTH ANNUAL MEETING OF THE CLERKS'  
ASSOCIATION, MEDICAL DEPARTMENT.

3. **Babu Ganga Prasad Roy** : Will the Government be pleased to state whether it has received the proceedings of the sixth annual meeting of the Clerks' Association, Medical department, United Provinces, held at Moradabad on March 16, 1926 ?

**Sir Ivo Elliott** : Yes.

PAY AND PROVINCIALIZATION OF CIVIL SURGEONS' CLERKS.

4. **Babu Ganga Prasad Roy** : What action has been taken by the Government with reference to paragraph 2 of G. O. No. 1423/V—285, dated December 2, 1925, Medical department, to the Inspector-General of Civil Hospitals, United Provinces ?

**Sir Ivo Elliott** : Government decided not to increase the pay of the civil surgeons' clerks.

VOTING PAPERS.

**The Hon'ble the President** : The House will remember that on Saturday last, on the motion of Rai Bahadur Thakur Hanuman Singh, a cut of Rs. 10 was carried by the House by 35 to 34 votes. The Secretary, while making out the division list yesterday, brought to my notice that one of the voting papers among Ayes was illegible, and most probably it was not a vote at all. Under the circumstances, there is no alternative but to eliminate that vote from the Ayes side and to say that the voting strength is 34 to 34. Ordinarily, if the thing had been brought to my notice while the demand was under consideration I should have had to give a casting vote. Under the rules and the orders of His Excellency the Governor, however, the demand has been put, for the maximum time-limit prescribed for discussion of that demand was 5 p.m. on Saturday last. Therefore the question is no longer open, and I cannot now give any casting vote, this side or that side. The division list of that day will have to be corrected accordingly. It is difficult to say whether the mistake was accidental or deliberate; whether it was a serious one or it was a hoax. It is also difficult to blame either the members or the collecting officer of the Council. It was most probably an accident. As there was scribbling on the paper, it was considered to be a vote, and the Council staff do not read all the names as the votes have to be collected and counted as quickly as possible. By way of precaution, I must ask honourable members to hand over their votes personally to the staff of the Council office, and I direct the Council staff that they should read the names on each voting paper. This will no doubt mean delay, but I cannot help it in the circumstances.

BUDGET, 1927-28.

DISCUSSION OF DEMANDS FOR GRANTS.

DEMAND No. 4. HEAD 26—POLICE.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I beg to communicate to the House the recommendation of His Excellency the

Governor that a sum of Rs. 1,52,71,693 be voted under the head "Police" and I move that this amount be voted.

The Police department has always been the object of interest to the honourable members of this House, and, considering the importance of the police department, it is in the fitness of things that the honourable members of this House, who are representatives of the people in the province, whose welfare is so closely connected with the efficient administration of the Police department, should take more interest in this department. We have often been criticized for the imperfections in this department, specially about the morale of the department. I admit, Sir, as I admitted last year, that there are shortcomings and there are imperfections. But I beg to submit what is perfect in this world. Still, the honourable members will notice, as my theme develops, that sincere efforts have been made on the part of this Government to check corruption and to improve the morale of the police force. But the honourable members will admit that this is an uphill task. The ignorance of the masses, our material for the recruitment is one of the chief obstacles in our way. I hope that with the diffusion of education the morale of the service will improve. Now, coming to the efforts we have made to stamp out corruption from police I shall submit a statement which is the result of our vigilance in the Police department. The Council has always asked this Government to be more vigilant in stopping corruption. We have acted according to the advice of the honourable members and therefore, if the results of our vigilance have shown improvement, the credit is due to the honourable members themselves. The statement shows that in 1923 26 men were prosecuted in the Police department for corruption; in 1924, 25; in 1925, 39; and in 1926, 59. These figures should not be taken as denoting that corruption is increasing in the Police force. On the other hand, it is the result of our increased vigilance in checking corruption in the force. Now, I beg to say a few words about the results of investigation in grave and heinous crimes in these provinces. Under dacoity the percentage in Burma is 21, in the United Provinces 27, in Bengal 13, in Madras 14, in Bihar 9, in the Punjab 19, and in Bombay 22. This shows that, as far as the convictions are concerned in dacoity cases, the work of the United Provinces police was better than the work of any other province in the country. As regards murder cases in Burma the percentage of convictions was 19, in Madras 20, in the United Provinces 30, in the Punjab 41, in Bengal 6, in Bombay 30, and in Bihar 14. We are second only to the Punjab. Now, I would like to draw the attention of the honourable members of this House how appreciable the decrease there has been in the armed dacoity since 1922. Here I may say one thing. The other day I was reading my speech of last year and I found that the figures that I gave in that speech of ordinary dacoities are printed as of armed dacoities. The figures that were given in my speech of last year do not represent armed dacoities. In 1922 there were 613 armed dacoities; in 1923, 525; in 1924, 418; in 1924, 325; in 1926, 269. There is a gradual and a steady decrease in the armed dacoities. I have given all these figures to show that the custodians of the purse of the province should know that they are getting the full value of the amount they are spending on the police force. Another point which I wish to bring to the notice of this honourable House is that we are running the depart-

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

ment as economically as possible. I laid stress on this point in my budget speech last year, and I shall again put figures before the honourable members of this House to prove this fact as far as police expenditure per head of population is concerned. In Bombay they are spending 4 annas per head, in the Punjab 8 annas, in the Central Provinces 6 annas 4 pies in Bengal 6 annas, in Madras 5 annas 9 pies, in the United Provinces 4 annas 6 pies, and in Bihar and Orrissa 3 annas 9 pies. But if we take the village police also then Bengal is 8 annas, Bihar and Orissa 5 annas 9 pies, and United Provinces 5 annas. So if we include the village police also we are running the police more economically than it is run in any other province of India. Honourable members will also be interested to see a statement that was shown in the Bombay Administration Report, 1924. Taking men and officers together they are spending Rs. 675 per head, in Bengal Rs. 575, in the United Provinces we are spending only Rs. 456 per head. I mention these figures to show that we are running the department as economically as possible. During my speech I have laid stress on three points, that is, we are working efficiently, we are working economically, and that we are trying our best to raise the morale of the police and check corruption. I hope that by the facts and figures that I have put before the honourable members of this House I have been able to prove these points. In these circumstances it is not at all strange if I expect a generous and whole-hearted support from the honourable members of this House. I beg the honourable members to realize that for every one crime that is committed how many more there are that have been prevented by the Police force. Although I said the other day that this department is not regarded as a beneficial department, or a nation-building department, still I beg to submit that, in the interests of the nation-building departments, it is necessary that this department should work efficiently because it is the custodian of peace and order. I say nothing as regards the budget figure, as I understand a note has been put on the table of the members of the House and that would explain all the changes in the figures of the police budget. I am sure that the same constructive criticism and support which has been my lot in the past shall be extended to me to-day. I shall only repeat what I said in the beginning of my speech. I admit that there are shortcomings. I admit that the Police department is far from being perfect; but as long as we can prove that we are working in the right direction, that we are sincerely trying to raise the position and to raise the condition of the police, I am sure we are entitled to the help and support of the honourable members of this House. If there are some criticisms to be made or some suggestion to be thrown that might easily be done in discussing the token reduction. But I see in the notice paper that there are some huge reductions to be moved, and I am afraid if they are carried they are bound to affect the efficiency of the department. I wish I had been gifted with the powers of oration like many of my friends, especially my friend the member for Partabgarh and my friend the leader of the Swaraj party, to plead the case of this department more lucidly, more forcibly, and more persuasively; but in the absence of such qualities I simply hope that the sense of responsibility and moderation on the part of the honourable members of this House will make amends for my shortcomings in not being able to put the case fairly before the House.

**Pandit Iqbal Narayan Gurtu :** I beg to move a (substantive) reduction by Rs. 2,000 of item concerning allowances and honoraria under sub-head "Superintendence."

My chief object in drawing attention to this item is, firstly, that the railway fares have now been considerably reduced, and it seems to me, therefore we could have a further reduction in travelling allowances under this head, and therefore I have proposed a reduction of Rs. 2,000. My second object is to draw the attention of the Council to the annual report of the Police department in which certain statements have been freely made.

**The Hon'ble the President :** I am afraid the honourable member's motion is for a substantive reduction and, as I said before, to bring in matters of policy when discussing a substantive motion is not in order. They would be in order in connexion with a token reduction.

**Pandit Iqbal Narayan Gurtu :** I thought I could save the time of the Council if I put the two together, but if it is your ruling, I bow to your ruling.

**The Hon'ble the President :** Otherwise it will not be fair to other members that an honourable member should give notice of a substantive reduction under a specific item and then attack the whole policy of the department under that motion. I suggest that such views should only be ventilated on token reductions. There are any number of token reductions on the agenda.

**Mr. E. A. H. Blunt :** The honourable member wishes to reduce the provision for allowances on the ground that there have been reductions in railway fares. If he will look at the memorandum he will find that I had already foreseen that contingency and made a reduction on that account. The total amount provided last year was Rs. 20,000 (odd); the amount provided this year is Rs. 17,000 (odd)—of course, that Rs. 2,000 for passages cannot be included in a comparison with the figure for last year when there was no such provision. There has already been a reduction of Rs. 3,000, which is Rs. 1,000 more than he has asked for. I think, in the circumstances, he ought to be satisfied and withdraw his motion.

**Pandit Iqbal Narayan Gurtu :** I beg to withdraw my motion.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Mukandi Lal :** I beg to move a (token) reduction of Rs. 100 under sub-head "A—Superintendence."

I have been turned into a back-bencher not of my own party, but of the whole House. Sitting as I do here in this remote corner, segregated at this place when I see my colleagues crossing swords with the Government, firing blank volleys, which always prove ineffective. I do feel very much depressed. But I have the consolation that I am in very good company, I belong to a depressed class to which you belong. I am quite sure, Sir, when you see members debating and making reductions, whether they are token reductions, blank volleys, or substantive motions, real cuts, you must be feeling depressed. Well, I have not been merely classed with the depressed class, but I have been turned into an untouchable. Whenever I desire to catch your eye you

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decline or disallow me to catch your eye. I am, therefore, an untouchable from that point of view. However, I could not catch your invisible left eye, but you have allowed me to catch your visible eye when you saw my name printed on the agenda in black and white and for that I thank you.

Police, as the old honourable members know, is a favourite subject of mine; it has been a favourite subject of mine all these years, because I have had the honour of being followed by our friends of the Criminal Investigation department from my college days. As a matter of fact, I have had the honour of having a sub-inspector, as one of my class-mates, so my love for the police is quite natural. My long association with the police has excited in me a sort of affection for the police and that affection has been confirmed by my experience of the most useful institution, the police, in England. When I saw that the most useful citizen and the most useful servant in England was a policeman, I thought that our police could be turned into really good public service and the police could be a most useful institution in our own country. The police, if we take it as it ought to be, is an institution voluntarily organized by society to restrain itself so that we do not trespass on the rights of others. In European countries, police is an institution associated with the service of Society, but here in our country police is associated with terror and torture and I may say, if you will allow me, with corruption.

Now, I move this token reduction with a view to making observations on the Police department. If the Hon'ble the Home Member makes up his mind to turn this institution into an institution which could render the greatest possible service to Society I think he will be rendering the greatest possible service to our society.

What is required is this. There should be a change in the mentality of the policeman; there should be a change of mentality in the sub-inspector; and there should also be a change in the mentality of the Hon'ble the Home Member who is in charge of this department. The Hon'ble the Home Member has introduced the budget by making a feeling speech, a speech which even moved the Leader of the Swaraj Party so much so that he gave up his right of moving a substantive cut. We are all aware of the appeals which the Hon'ble the Home Member always makes. When he belonged to the "touchable" class, I mean the class of Ministers, whose salary can be touched he used always to say "you are our masters;" but now, as he belongs to the class of "untouchables" and as we cannot now touch his salary, he is appealing to our sense of responsibility and self-protection and self-preservation. He has given us facts and figures of this department (Police) in order to show that the department has been making a rapid progress in the interest of Society.

I said that the name of the police is associated with terror, torture and corruption, and I will illustrate my point by giving a few instances or by quoting the opinion of some of the policemen themselves. I remember, once at the station of Exeter, when I was waiting there for the next train, a gentleman came and sat by my side, and, as soon as he asked me to what part of India I belonged, it occurred to me that he must have been a member of some Imperial Service in India. I then

asked him to what department he belonged and he said, "I belong to that much *bad named* department." He was a superintendent of police in India. This shows that the police officers themselves realize what opinion about them is held by the public in India. Now, the question before us is, how that much *bad named* department can be reformed and how this *badnami* can be washed off. When we go to big cities we are told that there are still some kotwals who are getting the pay of Chief Justices. Well, I ask them how? And we are told that they do so by means that are at their disposal—terror and extortion and harassment. So I impress on these heads of the department of police that when they are trying to reform the Society they may as well reform their own department. The second thing that they should inculcate in the policeman is the ideal of service and that he should give up the idea of mastership. The same police superintendent told me at Exeter that he was going back to his *raj*. That is the idea in the mind of the policeman. He thinks himself to be the master of the people and he therefore terrorizes over them, and harasses them and arrests them. We have got to instil into his mind the idea that he is the most useful servant of the public and that he must serve the public just as they do in Great Britain. I would suggest to the Police department that they had better introduce the practice of borrowing police officers either from the London Constabulary or from Scotland Yard. They will teach the police in India how to serve the public and how to control traffic. This is one idea that I wish to suggest to the Police department.

The other thing that I wish to point out is that the Police department has deliberately created a class of untouchables in our country. If you look to the Police Regulations you will find that there are a number of castes, both Hindu and Muslim, which are excluded from police service. Is it fair that the Police department should debar a number of castes in India which could otherwise have been more useful servants of the public from entering the police service? The castes that are mentioned in the Police Regulations—the Inspector-General says that he has removed the prohibition against these castes—but still I understand the idea is that people belonging to these castes should not be recruited in the police service. Even about Brahmans it is said that where there are already 10 per cent. in the police service more Brahmans should not be recruited. Then they say that Kayasthas and Banias should seldom be recruited in the Police department. We know very well that Kayasthas are a very clever set of people in our province, and in excluding one of the most intellectual class from this service the Police department is doing great injustice. The *banias* are debarred; but may I ask the Police department as to how many European superintendents of police are there in the department? Are not Englishmen *banias*? In fact, it is the *bania* who rules the world; it is the rule of the purse. Therefore we must not bar the Indian *bania* when the European *banias* are controlling the destinies of this country. If you look at the list it says that *taheliyas* are to be excluded; *barhais* are to be excluded; of course, *bhangis* are to be excluded; and *chamars*, *darzis*, *dhunias*, *dhanuks*, *garariyas*, *hajams*, *kalwars*, *kasais*, *khatiks*, *kolis*, *kunjras*, *lodhs*, *malis*, and *mochis* are to be excluded. The list is a long one. This point was brought to the notice of the Government on December 17, 1925, by Pandit Brijnandan Prasad in the form of a resolution and to

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which I moved an amendment and, replying, the Hon'ble the Home Member said that they excluded these people from the Police service because if they went to a village they would not get even water from the village to drink. If the arm of the police law is so weak that they cannot even get water in the villages I think that is the last word that I can say about the power and authority of the police. Suppose you send a *chamar* to a village, he would find *chamars* in it to give him water. *Chamars* can at least give water to him. It is no excuse to say that you will not recruit people from these classes for the police because of their untouchableness. Even if it be a fact, it is the business of the Government to take this social reform in hand, for which we cry in season and out of season, by opening the door of their service to everybody. Is not this rule against the Proclamation of 1858?

**The Proclamation says :** "Our subjects of whatever race or creed will freely be admitted to every branch of our services." Yet the Police department does not admit a large section of the Indian people. The highest servant of the Crown thinks "we are living in days in which the powers that used to be inherent in birth and privilege are passing away rapidly." These are the words of the Premier of Great Britain, Mr. Baldwin. This means that it is now a recognized fact that the privilege of caste cannot be entertained any longer by the Government in the Police department.

Finally, I come to the point as to how much work was done by the Police during the year 1926. I will give figures only for four classes of offences, cattle theft, property theft—and human theft.

**The Hon'ble the President :** The honourable member is covering a very wide field. He is practically bringing the whole department under review. This can more appropriately be done when we come to the token motions in connexion with the entire head.

**Mr. Mukandi Lal :** I want to show, Sir, that the recruitment of constables and of police officers is not done by the Police department in such a manner as would conduce to the proper management of the Police department and that is why I want to quote figures relating to these four important classes of offences. Last year there were 3,469 cattle theft cases, out of which the police were able to detect only 2,022 and conviction was obtained only in 933 cases. There were 18,254 cases of property theft; the police detected only 7,278 and conviction was obtained in 3,918. There were 593 cases of what I call human theft, viz., kidnapping, out of which 353 were detected by the police and conviction was secured only in 249 cases. Similarly, 850 murders were committed out of which 355 were detected and conviction was secured only in 260 cases. Now, I ask, is the percentage of crime detected large enough to prove that the police during last year discharged their duties efficiently? I want to know, why so small a percentage of convictions has been obtained in murder cases or in the cases of cattle theft? This clearly shows that the police did not discharge their duties properly.

I suppose it was at the instance of the Police department that the Civil Police Committee was appointed in 1919. In view of the Hon'ble the President's ruling I should not take up the larger question and will conclude by remarking that the progress made by the Police department during the year 1925-26 is not such as would entitle the



police to come before us and say that they have carried out their duties efficiently in the interests of Society. I desire to impress on the Inspector-General of Police that in future he should so reform the Police department that the police servants will not only be thief-catchers as they are called, but will be real servants of the public as they are in the police departments of other countries where they have self-government and where the police are the servants of the people for the benefit of the people.

**The Hon'ble the President:** There might be an impression in this House that a certain latitude has been given to Mr. Mukandi Lal in talking on this token motion because he has brought practically the whole department under review while dealing with a motion under "Pay of officers, sub-head Superintendence." Honourable members will excuse me if I did so, as the Deputy President is a part of the Chair. I do hope that honourable members while talking on token cuts under a particular item will confine their remarks to that item only. There are token cuts under the entire head also, and it would be proper if the policy of the department were discussed at that time. The general policy of the department should be discussed in its proper place, namely, by means of a token cut under an entire head or sub-head.

**Pandit Iqbal Narayan Gurtu:** To add to the tale of woe narrated by the Hon'ble the Deputy President I may just draw the attention of the Council to the administration report of the police for 1925 in which the Inspector-General of Police has freely criticized the decision of the courts in the province of Agra and Oudh. I draw the attention of honourable members to page 6 of the report, where he says:—

"The Deputy Inspector-General of Range II comments on some of the decisions of the old Judicial Commissioner's Court; one of the most extraordinary is a sentence of seven years awarded for murder in a case appealed to that court."

Then he goes on to say, "the fact that the extreme penalty of the law is so seldom applied is another complaint."

**The Hon'ble the President:** Is the honourable member reading from a report?

**Pandit Iqbal Narayan Gurtu:** I am reading from the report on the administration of the police.

"Thus though no less than 510 persons were convicted of murder during the year, the Sessions Judge sentenced only 258 to death, on only 184 of whom did the High Court confirm the sentence, whilst the local Government reduced the sentence from death to transportation for life on 36 persons only, five of whom were women." Thus the Judicial Commissioner's Court, the High Court, the Sessions Judges and, last though not least, the Government itself came in for a share of the criticism from the Inspector-General of Police. Sir, I can very well understand the point of view of the Inspector-General of Police, but what I really question is the propriety of criticizing the highest courts of these provinces, or, for that matter, any judicial court, in the manner in which they have been criticized. I know, Sir, that if any judicial officer passes any remark on the conduct of the police in any particular case he draws upon his devoted head the wrath of the Government. I know it will be denied. I am accustomed to those denials, but I am

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stating facts. There are demi-official or indirect warnings given to these officers that they should not criticize the police so publicly; that if they find that there has been any mistake on the part of the police they should send the file to Government confidentially and draw the attention of the Government. Now, Sir, if the judicial officers of these provinces are asked to show that superfluous courtesy to the police, I cannot for the life of me understand how the Government is going to justify this discourtesy on the part of the police to the highest judiciary in these provinces, and it will be a test this morning of the attitude of the Government as to how far it is going to defend the Police department there. If they do so then I think the judicial service will be perfectly justified in adopting their own course. The Inspector General of Police also reads a homily to the judges and tells them his own views of who are, according to him, "firm judges" and who are weak and mentally imbecile judges. Then as an example of a firm judge he mentions the judge of Moradabad. He said that a firm judge can do much to check murder. He goes on to say on page 20 :—"Any judge who has been a district officer knows something of the horror inspired and the ruthless brutalities practised by dacoits and can be expected to give, and does give, what all these gentry deserve—sentences which are really deterrent; but there are others on the bench nowadays who have not this experience and look upon the offence with a sympathy which possibly a Robin Hood would inspire and deserve, but to which the dacoits of this province can lay no claim, and award sentences much as if awarding compensation in a civil suit. I have always held, and my views have received ample support from the district reports of the year, that when a judge sets out to award sentences of a deterrent nature he can do as much as the police to check dacoity in the district; on the other hand, petty sentences and cases acquitted for inadequate reasons give considerable encouragement to dacoits. So, Sir, the Inspector-General of Police, while defending why so many murder and dacoity cases were not as successful as he would have wished, exclaims in despair "What can I do? I am always in the right. We did all that we could; our cases were true cases. What can we do? It is your judiciary which does not know its business, which does not know how to decide cases put before them. If they had only sense enough to realize their responsibility and had sufficient sense of duty, these provinces would have been almost free from crime in 1926." That is the position he takes up. First of all, I question very seriously and very emphatically this attitude of a subordinate department of the Government against the judiciary of the provinces, including the High Court and the Judicial Commissioner's Court. He has not spared Government either. But I won't defend Government; Government can well defend itself. Government often criticizes the departments and the departments sometimes manage to have their own chance. So the merry game goes on between Government and the departments. I need not discuss the propriety of the Inspector-General questioning the decision of even His Excellency. In the resolution issued on this report, Government touching upon this question says: "Since 1922 there has been a steady fall (of murders). The total for 1925 being 780. The decennial figures should not obscure the fact of this reduction. Concurrently the ratio of convictions has risen to the highest figure

since 1925." The Government meekly and mildly point out to the Inspector-General of Police, for his due consideration, the fact that he was rather hasty in his condemnation of the judiciary. They gently point out that there has been a fall in the number of murders in the province. They say the decennial figures should not obscure the fact of this reduction. They point out that though the figures show a large increase in the decade there has been a good deal of decrease latterly, meaning thereby very indirectly that the Inspector-General was much too hasty in his conclusions about the Government and the judiciary. Then they say: "Concurrently the ratio of convictions has risen to the highest figure since 1915." It is probably this criticism of the Inspector-General that brought sense into the judges, and so convictions were a little higher than what they used to be. So the Inspector-General has the satisfaction of knowing that his criticism has had a salutary effect on the judges. I ask Government this question, and it is a question of principle. Will they allow any subordinate department, even though it be their favourite department, the Police, to so freely criticize and condemn the judiciary in these provinces? Is it not demoralizing and degrading and insulting the judges if the Government gets up to defend the Police? I do not wish to take more of the time of the Council, but I do not press upon the members this point—let them be not guided in their decision by sentiment. It is a matter of important constitutional principle. It is not a censure on the Hon'ble the Home Member—he is not responsible for it—not a bit. I have throughout made it clear that I was referring to the report of the Inspector-General of Police. So I hope the honourable members will rise equal to the occasion and try to maintain the dignity of the judiciary in these provinces, because it is on their independence that the safety of the life of the people depends. I do not mean to say that the Police does not contribute to it, but surely when two parts of the body come into conflict with each other we have to devise means by which the conflict may be avoided.

**Khan Bahadur Maulvi Muhammad Fazl ur-Rahman Khan :** I rise to associate myself with those whose object is to reform the police. But my reasons are quite different. I do not think I am given to much sentiment. If the Inspector-General of Police has made any remarks which he should not have made, I would only regard them as mistakes. Mistakes are at times committed. The remarks to which my honourable friend Mr. Gurtu has just referred may be considered a mistake on the part of the Inspector-General of Police. Other suggestions have also been made that the Hon'ble the Home Member should issue such and such instructions and should take up such and such matter and decide it in a particular manner. Sir, it has been said that there has been a rise in the number of dacoities. On the other hand, it has been said by the Hon'ble the Home Member that the number of dacoities has gone down. I am not concerned with these matters. It entirely depends upon the mentality of the dacoits. If they happen to be men of gentle and merciful temperament they will commit fewer dacoities. If they happen to be cruel and atrocious they will commit more dacoities. So I am not concerned with this question. We must realize that we are not living in Utopia. We are existing not merely in the mind of Sir Thomas More. We have a concrete existence and therefore we must examine each and every question as practical politicians. There are, however, many defects in the Police

[Khan Bahadur Maulvi Muhammad Fazl-ur Rahman Khan.]

department. I will say that the Government has not been very vigilant. The Hon'ble the Home Member has, no doubt, praised the Government in eulogistic terms by saying that the Government has been doing what it could. I am not at one with him on this point. In my opinion the Government has not been doing what it ought to have done. Certainly something has been done. But there is yet great room for improvement. Now, Sir, I will lay before the House the objections which I have against the working of the department.

**The Hon'ble the President :** Are you referring to the whole department?

**Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan :** No, Sir. Only to the particular department to which the cut refers.

**An honourable member :** What is that?

**Khan Bahadur Maulvi Muhammad Fazl-ur Rahman Khan :** I will just come to that. My objections are strong and I will say that no member has up to this time referred to them. There are defects—they are glaring defects. They have escaped the vigilant eye of the Hon'ble the Home Member. They have escaped the careful eyes of the Inspector-General of Police, and they have escaped the notice of the honourable members who have made long speeches. My first objection is to the manner in which the warrants issued against absconders under sections 87 and 88, Criminal Procedure Code, are executed. They are executed under the supervision of the Inspector-General or the Deputy Inspector-General of Police or the Superintendent of Police. All these officers are responsible if a mistake is committed. These warrants are generally issued for the attachment of movable property. But what happens in practice is this. The all-important sub-inspector goes to the house of the offender with a dozen labourers. He has the whole house dug out and attaches the doors, beams, and rafters. I do not think the officers of the Police department have carefully read the General Clauses Act. If it is minutely read, then the definition of "immovable property" will become quite clear. Anything permanently attached to the ground or permanently fastened to anything attached to the earth is immovable property. Doors, beams, and rafters of a house are clearly immovable property. Besides this, the demolition of a building or the separation of these articles from it is not authorized by any provision of the law. Certainly, to the honourable members of the House it does not appear to be a hardship at all, but if they will care to step into the shoes of these unfortunate poor people whose houses are demolished they will be able to feel the hardship of this practice, and that, too I am sure very keenly. This grievance of the illiterate public ought to be remedied at an early date. There is another matter which deserves the notice of the Government. Some years ago the Criminal Procedure Code was amended. Now, under section 162 of that Act it is possible for the counsel for accused to obtain copies of the statements made by prosecution witnesses before an investigating officer. These copies are obtained to contradict the prosecution witnesses. The sub-inspectors have devised a very clever method to nullify the effect of section 162. In some cases statements are recorded in the police diary very briefly. In other cases you will find the statements recorded in an indirect form—"Gawah yeh kabta tha." Another device is that the statement of only

one witness is recorded and the other witnesses are made to say "بشرح عدل". If the counsel for the accused applies for a copy of the statement the court refers to the diary and says that there is no such statement of which a copy can be given. The police have thus nullified the provisions of section 162 altogether. These defects are of far-reaching importance and they result in a hardship. The administration of justice is also adversely affected by these things. If these defects are allowed to continue, I am afraid the faith of the public in British justice will be shaken. I, therefore, request the Hon'ble the Home Member, as he claims vigilance, to examine these questions minutely and to redress these grievances at an early date.

**Pandit Bhagwat Narayan Bhargava :** I entirely associate myself with the remarks made by my friend, Mr. Gurtu. I do not think that the gravity of the remarks made by him can at all be minimized. I think it is against the spirit of all constitutional laws in every civilized country that the judiciary should be subjected to the criticism of the executive. One of my friends said that it was a mistake. It is so, let us hope that the Inspector-General of Police will rise and plead guilty to the charge.

My friend, Mr. Gurtu, referred simply to the murder and dacoity cases. The Inspector-General of Police has extended his remarks to the rioting cases as well. This is another point which I wish to bring to the notice of the House. The Inspector-General has made much of the communal tension in these provinces. He has said on page 8 of the report—"I am definitely opposed to all compromise in communal cases or, for that matter, in any cases." I wonder, Sir, whether he means that the communal tension should increase. I do not understand what is the meaning which he attaches to these words, or with what object he expressed them in the report. The Inspector-General, who has made these remarks, is amply supported by the Government itself. If the honourable members will refer to the resolution of the Government on this report, they will find on pages 2 and 3 of the resolution the following remarks—"The Inspector-General undoubtedly puts his finger on a weak spot when he mentions the growing tendency to allow compromise in riot cases. After every ebullition of communal or factional excitement there are attempts to bring the two parties together and to persuade them to forgive and forget."

I personally attach great importance to the spirit of forgiveness and forgetfulness. The situation can be improved only when the two parties who commit riots come to compromise gladly and sincerely. The Government resolution goes on to say : "Bitter feelings are seldom exorcized by this means, and the Government agree with the Inspector-General that the present-day readiness to take up arms on the smallest provocation can be cured only by making the most irresponsible realize that their acts will meet certain punishment. On this point the police and public are entitled to demand from the magistracy the exercise of a wise discretion." Magistrates, when they allow compromise, act as courts of justice, and Government have not left them also immune from criticism.

**Shaikh Muhammad Habib-ullah :** I rise to support Mr. Gurtu in principle, though not in all what he said. I quite agree with him in his

[Shaikh Muhammad Habib-ullah.]

conclusion that the Inspector-General of Police was not within his rights when he criticized the action of the Court of the Judicial Commissioner in reducing the punishment in a case of a serious crime. But I do not think that the Inspector-General—I have read his report carefully—has made any aspersions on the judiciary in the matter of conviction or acquittal. As the matter stands, I think the Inspector-General is decidedly wrong: he had no business to make any remarks on the decisions of a court in the position of a High Court. It appears to me that he has rather followed the timid method because that Court is no longer in existence; as a matter of fact, he should have more respect for a court which is no longer in existence. It is said that he got a response from Government in the attitude he adopted. On reading the Government resolution carefully I think that there is a hidden snub contained in it, inasmuch as Government ignored that part of the Inspector-General's report *in toto* which criticized the action of the Judicial Commissioner's Court. With these remarks I support the motion of Mr. Gurtu.

**Rai Bahadur Babu Mohan Lal:** I rise to give my whole-hearted support to the remarks made by Mr. Gurtu. I as a lawyer know that the remarks of the Inspector-General of Police were not made by mistake or inadvertently, but they were made with the deliberate intention of bringing pressure upon the independent minds of the judiciary so that they may not be able to discharge their duties properly. It is often seen how the police try to influence the minds of the independent judiciary to serve their own purpose, and, if any public man would have said anything against the judgment of any judicial officer, he would have been guilty of contempt of court. The public is not allowed to pass any criticisms on the conduct or the decision of the judiciary, but the Inspector-General of Police does so with impunity. It is very strange that Government did not notice and did not try to give that sanctity to the courts which they deserved. If the judiciary is not to be protected by Government I am afraid that they will not be able to discharge their duties properly and independently. Therefore I think that such remarks should not be made either by the Inspector-General of Police himself or by any other police officer in the matter of judicial judgments. The Inspector-General ought to have blamed his own department for not producing evidence and for not conducting the cases properly. If the evidence produced before the court does not conform with the rules of evidence and does not fall within the four corners of law the case is bound to fail. If they cannot conduct the cases properly they should thank themselves, and I therefore give my whole-hearted support to the remarks made by Paudit Iqbal Narayan Gurtu and I think the Government will be well advised in asking the police officers not to make such remarks in future.

**Mr. R. J. S. Dodd:** I regret very much that these words of mine have raised such a furore. I have noticed that I have been called to account for what I wrote, on two occasions, in the Press, and I may tell the honourable members of this House that I had written what I considered to be an honest opinion and an opinion based on my many years' experience of police work. It may be that my opinion has been too forcibly expressed. But I wish to remove one impression at once. I had no

intention whatever of lecturing or laying down the law. I meant to plead and to express the police point of view as well as the point of view of those who have criminal administration at heart and know its difficulties. I may say that exception was taken to my remarks in one quarter of which probably the honourable members of this House are unaware. I am authorized to say that I was addressed by Government and told that my remarks were out of place in the annual report. So far as this matter goes there is little more to be said. But, as I have said, I gave my honest opinion, and since I have had what may be called a "reprimand," I have got nothing more to say. As regards other remarks in my annual report to which exception has been taken I may state that there have been numerous examples of misplaced leniency in dealing with riots and especially communal riots. The result of what I have called misplaced leniency is that frequently riots recur and the parties take up the fight again at the earliest opportunity. This opinion is based on my experience of facts. I have given examples of these facts in this report. I think there is nothing more for me to say, though possibly some reply to the remarks made by the honourable member for Shahjahanpur about the execution of warrants is called for. My reply in connexion with sections 87 and 88 is this: it is the duty of the police to arrest an absconder and if they cannot arrest him then by an order of the court his property is attached. Well, it is my experience both as Superintendent and much more so as Deputy Inspector-General that when I have made inquiry as to how much property have been attached I have always found that there has never been any property to attach. What happened was that as soon as a man absconded his relations came and removed his cattle, carts, plough, and other property and they became their cattle and plough and nothing was left except the doors, lintels, and the beams of his house. I was not aware that the sub-inspectors had started to attach these, but if the honourable member will let me know more details of this I will look into the matter.

**Pandit Nanak Chand:** What about the statements under section 161?

**Mr. R. J. S. Dodd:** The complaint in this connexion is that copies of these statements contain nothing but the word "ditto." I do not know how far it is offending against the law. I shall have to consult the Legal Remembrancer afterwards. This is the first time I have heard of this complaint. So far as I can see this is an ingenious, though possibly not an illegal, method of refraining to putting down what is likely to be brought up against a police officer. If Mr. Fazl-ur-Rahman will give me more details I will look into the matter.

**Chaudhri Vijeypal Singh:** I was surprised to read the attitude of the Inspector-General against the spirit of compromise because Jesus Christ has said: "If anyone strikes you on one cheek turn to him the other also." At the same time I remember one passage of Count Tolstoi that the present-day Christians do not believe in what is Christ-like in Christianity. So, Sir, I have not to make a long speech. I have simply to ask one thing, and it would be a revelation to me at least whether the Inspector-General has given up, being himself a Christian, what is Christ-like in Christianity and become a follower of Satan.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Although very many points were raised by different members of the Council during the debate the controversy raged chiefly round the point that was raised by my honourable friend the member for the Allahabad University. I think, as far as that point is concerned, the House will feel quite satisfied after the speech of the Inspector-General of Police. A few other points were raised by some other members, and I shall try to deal with them as briefly as I can. My friend the Deputy President raised the question that there are a few castes who are not allowed to enter into the Police service. I beg to submit that his knowledge is entirely out of date. There were some rules, but they have been changed last year.

**Pandit Iqbal Narayan Gurtu :** What are the rules now ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am sorry to say I do not remember them by heart ; but the recruitment is open to every caste, except criminal tribes.

**Pandit Govind Ballabh Pant :** Is nobody excluded now ?

**The Hon'ble the President :** I cannot allow this dialogue in the course of the debate.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The other point raised by the member for the University was that some order was issued by the Government to the judicial courts not to criticize the work of the Police. As far as I remember, no such order was issued. The last point raised is that the Inspector-General is against the spirit of compromise in criminal cases. About that I remember that at the beginning of communal riots the policy of the Government was to allow these compromises as far as possible. I do not remember the names of such cases, but I have a very vivid recollection that a few cases were withdrawn on account of compromise. Let me tell him that it was the policy of the Government that a compromise should be allowed, not in the interests of those riff-raffs who committed riots, but in the interests of peace-loving citizens of the locality, thinking a compromise would give rise to better feelings and that there would be no further riots. But this did not result in creating that good feeling. On the other hand, the effect of this compromise was that the riff-raffs used to indulge more in rioting because they thought that after committing these riots and rogueries they would go scot free, because there would be a compromise when the Government would be approached. For this reason we have taken an attitude against compromise. We do not want to allow anyone who has committed such crimes to go free. We are going to send him to jail, so that others may take lesson. Government is not going to gain or lose by compromise. So far as this point is concerned, this is simply a matter of policy. I think much can be said on both sides. If it can be said that compromise is good and beneficial it can also be said that those who are troublesome become more bold and more mischievous. I think these are all the points, and I hope I have met them all satisfactorily and that the honourable member will withdraw his motion.

**Mr. Mukandi Lal :** The Hon'ble the Home Member has replied that those antiquated old rules which had debarred a large section of the people from entering the police service have been removed. I would like to know whether this removal of restriction or prohibition against



a very large section of our people, which could render the best possible service, has been notified in the Gazette; whether it has been notified in the Gazette that regulation 332 and others have been removed from the Police Regulations and whether instructions have been issued to the superintendents of police or those authorities who are considered responsible for enlistment and appointment to the police service. I am referring to sections 331, 332, and 337. I would like to know whether in the new editions they have been expunged.

The other point that I would like to know, and no light has been thrown on this specific point made, is whether the Inspector-General contemplates importing constabulary from Great Britain to set an example or to train the police in India how to control traffic or to adopt better ideas of service.

I am grateful to you, Sir, for allowing me to open the flood-gates of criticism on the Police department.

At this stage I may point out that I did not speak as a Deputy President, but as one belonging to the Opposition, and it is my business to bring in criticism in any way I can and it is your business to call me to order when necessary.

Though a satisfactory answer has not been given, but in view of the fact that an appeal has been made by the Hon'ble the Home Member I do not press my motion.

*The motion was, by leave of the Council, withdrawn.*

**Pandit Govind Ballabh Pant:** I beg to move a (token) reduction of Rs. 100 under sub-head A “—Superintendence—Contingencies, Rs. 24,350.”

**The Hon'ble the President:** I think the honourable member had better put it under the entire head of Superintendence.

**Pandit Govind Ballabh Pant:** Thank you. I move a (token) reduction of Rs. 100 under the head Superintendence. I may state at the very outset that I propose to deal with two points in the course of my speech on this motion. One relates to certain remarks made by the Inspector-General in his report, which seemed to me to be open to objection, and the other relates to the necessity of observing economy in the superintendence section of the police. As to the first, I refer the Hon'ble the Home Member to page 39 of his report. In it there are two sentences which I will read: “In the attacks made on police expenditure during the budget many complimentary remarks regarding this branch of the department were made, and it is to be hoped that as it develops on the criminal debate side there will be far less rash and unjustified abuse of the department. It is much to its credit that since its inception it has established a record of clean work, and the wild assertions of less responsible politicians regarding the Criminal Investigation department factory of revolutionary crime are as baseless as they are stupid.”

I am prepared to accept that the Inspector-General of Police belongs to a department in which people do not shrink from calling a spade a spade. I go beyond that and admit that in India in particular the Police department can claim a certain amount of licence and is by prescription entitled to use such expressions as suit its temperament best. But still my grievance is that this report has been published not only by the Inspector-General, but it must have been surveyed by the Secretary of

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the department and was reviewed by the Government before it saw the light of print. I can conceive the possibility of the Inspector-General making observations which may not be in a dignified form or in such language as may look graceful, but the member in charge in Government or the Secretary in the department concerned can certainly score out the offensive sentences or paragraphs from the report of the Inspector-General before it sees the light of day, if he has any regard for the feelings or susceptibilities of the general public. We cannot remove all these spots from the whole of the skin; we cannot probably change the mentality of the Inspector-General; we cannot ask him to wipe out his past; we cannot possibly expect him to forget the traditions of the police, but we can certainly claim from him that consideration and responsibility which every member of the Government and other subordinates of the Government owe to the Legislature. It is not a question which affects any particular wing of the House. What I object to is the constitutional principle. I am personally ready to hear any kind of abuse and am thick-skinned enough to stand all nonsense as I often do every day, but when I see that all these remarks are allowed to find a place in the administration report with the approval, at least indirectly of the Government, I am constrained to raise an objection on constitutional grounds for the protection of the privileges of this House. The point is this. To-day it is the Inspector-General; to-morrow it will be the Secretary of the Police department or the head of the Excise department or, for the matter of that, of any other departments who takes it into his head to cast reflections upon the conduct of the members of this House. I am prepared to say. . . .

**The Hon'ble the President :** The "privilege of the House" has been mentioned, and, as the Chair is supposed to be the custodian of the privileges of the House, I should like to know whether the honourable member's interpretation is that the sentences quoted by him mean a reflection on the conduct of the members of the House. If so, I ask the honourable member to make his meaning clear.

**Pandit Govind Ballabh Pandit :** Yes, that is my meaning.

**The Hon'ble the President :** In that case I must ask the Government to make that position clear.

**Mr. R. J. S. Dodd :** I took particular care not to mention politicians who are members of this Council, and it was certainly not my intention to refer to them. I have no recollection myself of any member of this Council accusing the Criminal Investigation department of manufacturing revolutionary crime, but I have read of it in newspapers and have heard this very charge made by less responsible politicians than honourable members of this House, and I claim that it is baseless. I have not heard the charge made in this House, and I have never said that. I had no idea of charging honourable members of this House with making stupid assertions. In another place in my report I have referred to the party of which the honourable member for Naini Tal is the leader, and I think that my remarks which are on page 43 are unexceptionable. I would not have written what I have on page 43 if I had intended on page 39 to cast any aspersions on the honourable members of this House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As the question of the privilege of the House has been raised by the leader of the Swaraj Party I ask for your permission to be allowed to say a few words on this point. I have been a member of this Council since the first reformed Council, and I am sure that all the honourable members, irrespective of the party to which they belong, will bear me out that I have been as sensitive for the privilege of this House as anybody else is. Even the worst critic in this House will not say, I am sure, that I have ever tried to go even an inch beyond the line of politeness and courtesy. The other day simply by a slip of tongue I used the word "absurdity" in replying to the question of an honourable member and the very moment I withdrew that word without waiting for that member to ask for that. Therefore I assure the honourable members that had there been even the slightest idea in the mind of the Government that this remark was meant for the honourable members of this House we would never have allowed it to find place in the administration report. I again assure the House and you, Sir, that this was never the intention of the Inspector-General, nor did we ever think that the word was meant for the honourable members of this House.

**The Hon'ble the President :** Do I take it to mean that it was never the intention of the Inspector-General and the Government to cast a reflection on the privileges of the House or a reflection on the duties of the members of this House?

**Mr. R. J. S. Dodd :** No, Sir.

**The Hon'ble the President :** I hope the honourable member for Naini Tal will drop the matter now.

**Pandit Govind Ballabh Pant :** The explanation has been given in respect of one sentence. There is another sentence, and I have not heard anything yet about that. "In the attacks made on police expenditure during the budget debate many complimentary remarks regarding this branch of the department were made, and it is to be hoped that as it develops on the criminal side there will be far less rash and unjustified abuse of the department." I interpret it as meaning, and if I am wrong the benches opposite will correct me, that there has been in the course of discussions in this House rash and unjustified abuse of this department. The Inspector-General cannot conceive the possibility of this thing being given up for good and entirely any time hereafter. He thinks that there will be unjustified and rash abuse of the department ever and always, but what he expects is "it is to be hoped that as it develops on the criminal side there will be *far less* rash and unjustified abuse of the department." Can anybody possibly sever the second sentence from the first, and if not, whether the Inspector-General expresses his regret or says that it does not refer to the discussions in this House?

**The Hon'ble the President :** May I intervene again and ask the Government to explain this?

**Mr. R. J. S. Dodd :** I am afraid this may have been badly expressed; but if the honourable member for Naini Tal does take this as a reflection on his party or on any member of the . . .

**Pandit Govind Ballabh Pant :** I did not say my party.

**Mr. R. J. S. Dodd :** Or any member of the House. I would be pleased to withdraw the remark. It was not my intention at all.

**The Hon'ble the President :** I hope this matter will also now be dropped.

**Pandit Govind Ballabh Pant :** Now I will come to the second point which I had mentioned to you at the very outset. I will, first of all, congratulate the Police department on a particularly lucky year. As their report indicates there were very few cases in which crimes were reported to them, and to that extent they were relieved of embarrassment, and I think they had an easier time during the year that has passed and for which we have got this report. Sir, there are certain other features of this report on which, too, they deserve to be congratulated, not for their efforts, but for the results which have been attained in spite of or irrespective of them, but to them I do not consider it necessary to refer at this stage.

As I said, I am making this motion with a view to urge the Government to make further economy in this section of the police service. Sir, the Economy Committee, of which you were an eminent member, recommended the abolition of one of the three range Deputy Inspectors-General. Now we have got practically five. I will refer to the others in order of merit.

[Several honourable members : Four.]

**Pandit Govind Ballabh Pant :** I am told four, but the Assistant to the Inspector-General of Police in the Railway department is no less than a Deputy Inspector-General. However, that is not the point with which I am concerned at this stage. What I am concerned with is that there are three Range Deputy Inspectors-General in the police department in addition to the Deputy Inspector-General of Criminal Investigation department who will come in for his own share later. Now I see no reason why this third Range Deputy Inspector-General should not be abolished.

The Government, while making the original motion for this grant, gave us some comparative figures and told us that the expenditure in this province was very low. I have, however, cared to compare their figures with the expenditure or the income of the various provincial Governments and I find that while Bombay, after spending 14 annas over police, retains Rs. 7 per head for other purposes; while the Punjab retains more than Rs. 4-5-0, while Madras retains more than Rs. 3, we do not have even Rs. 2 for our activities in other departments. The Hon'ble the Home Member must be aware of the fact that the revenue of the Bombay Presidency per head comes to about Rs. 8, while in our case it hardly comes to about two rupees and a few annas. So for him to compare the expenditure in Bombay with the expenditure in our province is to ignore the very basis on which these comparisons can be justified. I have only to tell him that, taking all facts into account, the proportion of expenditure over police in our province is not much less than that in any other province.

The other point which I would beg to urge at this stage is that comparisons are likely to be misleading unless we bear in mind some other factors. Bombay, Madras, and Calcutta have their own presidency town police and the expenditure of that police is included in their total budgets. It comes to more than many lakhs

in every place, so that if you were to deduct the expenditure on account of the presidency police you will find that the proportion in our own province is not much lower than that obtaining in those three presidencies. In this connexion I would inform the honourable members of this House as to the state of things in our own province. In the year 1913-14, if I remember aright, the total expenditure over police in our province came to about 124 lakhs, and out of that we were spending more than 34 lakhs over the village police, so that the expenditure over the police, excepting the village police, which has been excluded by the Hon'ble the Home Member, was only 90 lakhs in that year. To-day we find that it comes up to something like a crore and-a-half. So that while the poor village chaukidars' number has been reduced to more than half, while the expenditure under that head has been reduced to such an extent, the expenditure higher up has been increased by more than 60 or 70 per cent. So, Sir, the Government, I hope, will not at least try to confuse us by means of these comparisons.

The other point that I want to urge is that during the course of the years 1922 to 1924 economies were effected. Those economies were effected in all the departments; but if you will look at the present figures and the past figures of other than beneficent departments, in which the expenditure has certainly increased, you will find that the reduction in the Police department has been proportionately much less than in other departments. So it is worth noting that, so far as the higher ranks of the police are concerned there is not much room for congratulation. I would, while confining myself to superintendence, also request the Home Member to take the figures of expenditure for superintendence in the Presidencies and he will find that the expenditure per head in our province is not less than in other provinces so far as superintendence is concerned. I may also state here what must be known to every member of this House that we have the largest quota of the Imperial Police Service of all provinces. So when we are in such straits financially, and when the Economy Committee, after careful consideration so far as the non-officials were concerned, recommended the abolition of this post, and when there has been considerable reduction in the staff on account of the reduction in the numbers of village police, I see no reason why there should not be a further reduction in the head of Superintendence also. It is really a strange phenomenon that lower down you cut away things and higher up you add to them, so that the top-heavy system loses its balance even further and finds it difficult to find its equilibrium. I submit when you cut down the establishment lower down, when you remove a considerable number of village police, there is no reason why you should not reduce something at the top. There is another feature which I have noticed. The number of officers who could be touched by us formerly has been considerably reduced this year. There has been a metamorphosis, and votable have been converted into non-votable. The votable items have considerably undergone change, and to give an illustration I may say that, as will be apparent in the course of the next motion relating to the Criminal Investigation department, while we had been every year cutting down the figure considerably under the head of pay, we find now hardly anybody in the superior staff who does not come under the group of touch-me-nots or untouchables—we find it difficult to handle them directly. There is another reason why I ask for econ-

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in the superintendence of Police department. The figures for this year show that there has been the smallest volume of crime during the year under report during the last eleven years. I will not tax the patience of the House by giving figures for the different heads. I have my own analysis. We have had during the year the minimum amount of crime during the last eleven years. The Inspector-General also holds that political conditions of the province have improved considerably. He also holds that so far as more serious crime in the form of dacoity and murder is concerned there has been a considerable reduction. As the Police department, either through their efforts or through other forces, have got over certain difficulties, and as the amount of crime has gone down considerably, which was the reason given by the Government when they refused to accept the recommendation of the Economy Committee, as they observed at that time that there had been considerable increase of crime so it was not possible for them to meet the wishes of the committee, now as there has been reduction in crime, I think so much superintendence is not needed. Further, the Government has in a way started other departments of special experts to deal with special branches of crime. They have special dacoity police and cattle theft police. These departments will be practically dealing with superintendence in relation to these crimes all over the province, and to that extent the orthodox superintendence should be relieved of their ordinary duties. So I suggest that the Government should undertake to abolish the post of the third Range Deputy Inspector-General and they must undertake to effect further economies.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** There is also a motion standing in my name, but as the point of the reduction of the post of Deputy Inspector-General has been brought in by the leader of the Swaraj Party, I would rather support his motion. Sir, he has put before the House enough facts for which we should reduce one post. Now I will take up another side of the question and I will examine what are the important functions of the Deputy Inspector-General and whether they can be performed by the reduction of one post with efficiency or not. Sir, in the Manual of Police Regulations we find that the important duties of the Deputy Inspectors-General are four. Firstly, they have to inspect each district in their range, at least once or twice a year. Taking 17 or 18 districts in the charge of one Deputy Inspector-General I think that this is a task of not more than fifty days in a year. Then, Sir, the second duty they have to perform is to take proper measures for dealing with outbreaks of crime. But, Sir, wherever there are such outbreaks, the man on the spot is more responsible than the Deputy Inspector-General. I mean to say that the Collector is more responsible than the Deputy Inspector-General, who gets information when the riot is already in full swing or when it is finished. At any rate, the Deputy Inspector-General is not expected to reach in time in a majority of cases. The third function that they are required to perform is to dispose of appeals and revision applications from subordinates. Then, Sir, they also used to act as post offices, and they forward them to the Inspector-General of Police. The fourth function they have to perform is to keep a register of dacoity, murder, robbery, and poisoning cases, etc. Well, that is a very minor function and it can also be performed by a clerk on Rs. 50 only. So, Sir, the duties of the

Deputy Inspector-General are not very important and if one post is reduced and only two are kept I do not think that there will be any deterioration in efficiency. Then, Sir, the post of the Deputy Inspector-General was increased after the report of the Police Commissioner in 1902-3, and they also have acknowledged in their report that their functions are unimportant. In paragraph 17 of that report they say: "They are practically confined to work of an unimportant character, and their usefulness is consequently impaired." Sir, after 20 years another committee was appointed. I mean the Police Decentralization Committee. The verdict of that committee was also half-hearted, though it was against the report of the Economy Committee. In their report they say: "The written opinions which the committee have received are unanimous in expressing dissatisfaction with the present position of Deputy Inspector-General, but contain no suggestion for any radical departure from the system laid down in Act V of 1861 and confirmed by the Police Commission of 1902-03, by which the administration of the police is in charge of the Inspector-General of Police as a departmental head." The evidence that they recorded was all unanimous about this fact, viz., that they are not important. In the course of one evidence it was said: "When despite the Reforms of the Police Commission the same defects in the position of the Deputy Inspectors-General are admitted to exist now as were discovered twenty years ago it is not surprising that suggestions have been made in some quarters that the post should be abolished." So, Sir, we find that the functions of the Deputy Inspector-General of Police are not of such a character which may not allow us to reduce one post at least. Pandit Hirday Nath Kenzru, who was a member of the first reformed Council, in opposing the post also said: "I have never been able to find out what exactly are those responsibilities which the Deputy Inspectors-General are called upon to perform." The Police Manual creates the impression that they are in a way forwarding officers. Lastly, I would ask the Hon'ble the Home Member what was his own opinion before he was exalted to the high position which he is now occupying. He was a member on the Economy Committee.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan :** I was not, Sir.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I stand corrected.

**The Hon'ble the President :** Will the honourable member even then pursue the matter?

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I will take up another matter. A motion for the reduction of the post of additional Deputy Inspector-General of Police was brought in by the Minister, I mean the Hon'ble Rai Rajeshwar Bali Sahib, in 1922. The Nawab Sahib of Chhatari supported him cordially, word by word, and there he did not make exception when Rai Rajeshwar Bali Sahib forced the point that the functions of the Deputy Inspector-General of Police were not very important and reductions could be made. He never differed on that point. Instead of differing he began to support him in a very cordial spirit, beginning his speech in this way: "In giving my cordial support to the motion moved by my honourable friend, Rai Rajeshwar Bali Sahib, and so on." That motion, no doubt, referred to the reduction of the post that was increased on account of the War. But the arguments used by

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the Hon'ble Rai Rajeshwar Bali were more for the reduction of Deputy Inspector-General and not a word of difference fell from the Hon'ble the Home Member's lips who then occupied the non-official benches. I cannot understand how he can now plead their cause, unless a great change has occurred in his angle of vision in these four or five years. I request the honourable members to think twice before they record their votes against this motion.

**Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan :** I regret I am unable to support the motion. I do not oppose the present motion out of love to the Home Member, who is the head of the Police department, for I do not love the police. My opposition is based on very sound principles, but I think I must be very brief.

**The Hon'ble the President :** The honourable member need not be very brief.

**Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan :** There is need to be brief, and it is this. About five hundred years ago men used to live hundred years or so. Now the average duration of life is only fifty years, and, as we have multifarious duties to perform, we ought to be as brief as possible in our speeches. I wish I were living in mediæval age, because then it would have been possible for me to consult big books and to beautify my speech with quotations. But in the world of to-day everything must be done in as short a space of time as possible. Speeches are no exception to this general rule.

Now, Sir, my first reason in support of the post of Deputy Inspector-General is that the Police department is invested with drastic powers. If there will not be effective supervision in that department I fear sub-inspectors and other police officers will run wild, with ruin to all. I hope honourable members realize that a sub-inspector gets only Rs. 100, or so. If supervision is made slack, on the slightest opportunity he will go astray. Consequently effective supervision is required. The work of a sub-inspector is supervised by the superintendent of police, and his work is supervised by the Deputy Inspector-General. There is no doubt that the Inspector-General also supervises the work of the Police department, but if we do away with the Deputy Inspectors-General I do not think the Inspector-General alone will be in a position to supervise the work of the whole province in an efficient manner. We should not expect from the Inspector-General more than what we can expect from a human being. He is after all a human being.

My second reason is that during the last three or four years unfortunately there have been communal riots all over the province. There are some superintendents of police who are Muhammadans and there are many superintendents of police who are Hindus. Sir, in the days of communal riots anything done by a Muhammadan or by a Hindu superintendent of police is viewed with suspicion by the members of the other community. If the Deputy Inspectors-General are retained it is possible for the Government to depute a Deputy Inspector-General to any district where the public is dissatisfied with the Superintendent of Police to make investigations and report to Government. Government will thus be in possession of the true facts.



There is yet another reason which can be advanced in support of this post. The United Provinces is a fairly big province. Compare it with Bombay, Madras, Bengal, and the Punjab. In all these provinces you will find the number of Deputy Inspectors-General greater than in the United Provinces. I am not prepared to admit that wise men live only in our provinces. There are wise politicians in Bombay, Calcutta, and other places also. We are not super-human. It did not occur to those wise men to abolish these posts.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** The question is not for the abolition of the posts of the Deputy Inspector-General, but for the reduction of one post only.

**Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan :** My idea is that if one post is abolished to-day other posts will be abolished next year. In the course of some years our Deputy Inspectors-General will, therefore, disappear. In these provinces, if my information is correct, one Deputy Inspector-General is in charge of a circle consisting of about 16 districts. In other provinces the circle of the Deputy Inspector-General is smaller.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** What are the figures ?

**Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan :** I do not want to burden my speech with figures. We deal with facts and not with figures. It is not a wise policy to reduce the number of the Deputy Inspectors-General. If one post is abolished, I think it will result only in a saving of something like Rs. 20,000. To effect a saving of Rs. 20,000 we make supervision in the Police department slack, and this will result in chaotic conditions. Experience will show that this is a false economy. I warn the Council not to be carried away by the fashion of the day. It has now become a fashion to oppose the Commissioners and the Deputy Inspectors-General. I have been a member of this Council since the advent of Reforms in these provinces. In 1921-22 and 1923 I also regarded these officers as useless, but now experience has shown me that these officers ought to be retained and, if possible, their number should be increased. For these reasons I ask the Council to reject the motion.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Mr. C. Y. Chintamani :** I desire, with your permission, in the first instance to congratulate the Hon'ble the Home Member upon the speech which he made in presenting the demand. I congratulate him further upon the excellent spirit which he has shown in meeting the wishes of the Council when a complaint was made against certain observations of the Inspector-General of Police in his report. One of the complaints of Indian public men against the Government is that when criticisms are uttered on any of their officers they attach more importance to prestige than to justice and do not make any public admission of their mistake. On this point a former Secretary of State, Lord Morley, said : " I do not believe that it is for the good of prestige to back up every official whatever he does, right or wrong." The Hon'ble the Home Member has conformed to the spirit of this observation in his attitude towards the criticism that was made, and I think that we must be indebted to him for that. I now come to the subject-matter of the motion. I had intended to bring prominently to the notice of the Council, as many honourable members did before, the words which the present Home

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Member, when he was a freer man, uttered in this Council on the subject of Deputy Inspectors-General. But, as that has already been done by my honourable friend to the left and as the position taken up by the present Minister for Education has also been prominently brought to the notice of the Council, I wish only to show that it is not only these two Indian members of the present Government but one more, and also that the late Home Member were of the same opinion as has this afternoon been expressed on this side of the House. In the budget debate of 1922-23, when the demand for grant for the Police department was before the House, and, speaking on the motion of Rai Rajeshwar Bali, the Hon'ble Raja of Mahmudabad said :—" I must make it clear to the honourable members that it is not within my competence as an individual to make any promise on behalf of an executive body, but as a member in charge of this department I can assure this Council to the extent that I shall not have it for more than one year. It may take only six months, but I am not sure. Therefore I would not make a promise. If the overhauling of the department takes place in my time, I shall take great care to keep every point raised in this Council in view in dealing with this matter." It is a strange commentary upon our unconstitutional constitution that a member of the Government, not one of the inferior members in charge of the secondary departments, but a member of the Executive Council, should have spoken in the Legislative Council in his individual capacity instead of speaking for the Government, and this was a point which did not fail to attract attention even then, because I note here that a question was put by Rai Sita Ram Sahib, as you, Sir, then were :—" Will it not be for Government to accept the recommendation or not ? " The question received no reply. But the late Hon'ble the Home Member repeated more than once, for example, in reply to a question put by Mr. Kunzru.

" **Mr. Kunzru** : Do I understand the Hon'ble the Home Member to say that he as Home Member would recommend to the Government that this post should not be retained next year ?

" **The Hon'ble Raja Sir Muhammad Ali Muhammad Khan** : That is in 1922-23.

" **Mr. Kunzru** : That is, the post so far as the present Home Member is concerned will not be retained in the year 1923-24 ?

" **The Hon'ble Raja Sir Muhammad Ali Muhammad Khan** : Yes, I as Home Member would not commit the whole Government.

" **The Hon'ble the President** : I understand the Hon'ble the Home Member to say that he would recommend to the Government that the post should not be retained next year.

" **The Hon'ble Raja Sir Muhammad Ali Muhammad Khan** : I had agreed. I said that I shall recommend that this post should be abolished in 1923."

The present Home Member's opinion has been quoted. I have now shown prominently how clearly the late Home Member, speaking when he was a member of the Government and speaking after nearly 15 months' experience inside the Government, stated his personal opinion. Now in the year following, i.e., in 1923, there was a motion by Nawab Muhammad Yusuf, another member of the present Government. He moved that Rs. 24,000, the pay of the Deputy Inspector-General of

Police, be omitted under the head "Salaries." After a reply by the Finance Secretary Nawab Muhammad Yusuf said: "I certainly seem to have made some mistake, but even supposing that there are only three Deputy Inspectors-General of Police, I fail to see why we cannot further reduce the number of the posts of Deputy Inspector-General. Not a single argument has been (this is not my language; this was the language of the present Minister of Local-Self-Government.) Not a single argument has been advanced on behalf of the official side to make out a good case in favour of a third Deputy Inspector-General of Police. I would like to have a statement whether three Deputy Inspectors-General are absolutely necessary." The then Hon'ble Finance Member said that the system of organization, that is, the system of control of the police, is a matter which requires examination and it was being examined at that time and therefore they were considering the whole question. On this Nawab Muhammad Yusuf said: "In view of the assurance given by the Hon'ble the Finance Member that he will go into the whole question and possibly bring about further reduction in the number of posts of Deputy Inspector-General I beg to withdraw my motion." The Council will, therefore, see that three members of the present Government, one on the reserved side in charge of the Police department, and two inferior members of the secondary side—I will persist in using that epithet which found place in the Hon'ble the Finance Member's speech so long as it remains in my memory—and the late Home Member in charge of the Police department, after fifteen months' experience of the department, stated the view that has now been put forward by us non-official members. I do not expect honourable members of the Government to be able to act consistently with the declarations made by them in the days of their greater freedom. But it is for the non-official members here to see that if they vote against the motion before them they would really be voting against the views of the Raja of Mahmudabad, of the Nawab of Chhatari, of Nawab Muhammad Yusuf, and of Rai Rajeshwar Bali. It is not peculiar to this Council or to the members of this House that men in official position do not find themselves always able to give effect to opinions uttered by them as non-officials. We see plenty of such instances in the House of Commons, and on one occasion one gentleman who succeeded Sir Horace Plunkett in the Department of Agriculture and Technical Instruction in Ireland spoke openly from the Treasury bench to the effect that his official conscience permitted him to do things which his private conscience would not have justified. Let not the honourable non-official members be misled by any speeches which the Indian members of the Government in their official capacity may make. Their real opinions are on record, publicly uttered in the Legislative Council itself, and I hope my honourable friends the non-official members, will oblige the present Indian members of the Government by showing what faith they have in their real individual convictions.

**Mr. R. J. S. Dodd:** We have heard a good deal about opinions on this subject, but I am afraid, as this matter did not come up for discussion in the last budget debate, we have not heard so much about the real facts as we should have done. At the time this motion last came on which was two years ago, the Decentralization report had just been reviewed by Government and orders had been received. As a matter of fact, I think, the proposals had then been working for about six

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months. One of the most important changes of the Decentralization Committee which followed on that report was the introduction of definite control of ranges by the three Range Deputy Inspectors-General. When the principles which are now followed in the administration of the police were adopted, as far as ranges were concerned, I had to take over charge of one of those ranges, and in consequence I have had experience as a Deputy Inspector-General and as an Inspector-General of their working. I do not intend to waste the time of the Council by explaining the intricacies of the system. I would like to turn to the results. We are told that we have had a lucky year. Well, I am prepared to allow that there is a certain amount of luck attached to it, but I have to attribute a good deal of the excellent results, and they cannot be described as anything else, e.g., a reduction of 50 per cent. of dacoities in three years is certainly an excellent result, and there are similar reductions in other crimes, to the control and supervision of Inspectors-General of Ranges, and therefore the system which followed on the Decentralization Committee's report is undoubtedly a right one. Now, as regards the work of a Deputy Inspector-General itself, I said I had experience as Deputy Inspector-General, and there are members of this House who will bear me out when I deal with a somewhat personal matter. I have not had altogether a life of comfort as a superintendent of police. I have had my hard districts, I have had my hard work, but I have never as a superintendent had anything like the work I had to do as a Deputy Inspector-General when in charge of the First Range. There is one honourable member of this House who occupies the most responsible position therein who knows them and could bear me out in what I say. The work of the Deputy Inspector-General is harder in my opinion than that of any other officer in the police, with the exception possibly of my Personal Assistant. This I give you as a fact; I cannot go into details. But it should be obvious that by bringing the three functions of inspection, supervision of crime, and administration under one control that must necessarily be enormous increase of work to be done. The Deputy Inspector-General is no longer a post office. It is no longer possible for the Inspector-General—and I claim a double experience in speaking about this—to receive the letters through such a post office and deal himself with administrative problems. His work has increased enormously during the last three or four years. Therefore, after hearing of my own experience, I would ask you to accept from me that it would be utterly impossible to carry on the police administration of these provinces with only two Deputy Inspectors-General.

Comparisons are always odious; we have had a good many this morning, but I think it is only fair that I should compare the conditions in this respect in this province with those in other provinces. In the United Provinces a Deputy Inspector-General has sixteen districts under his control. The nearest figure to this in any other other province is that of the Central Provinces, where there are eleven districts under the control of one Deputy Inspector-General, and after that we get nine in Bombay, seven in Bihar, six in Madras, nine in the Punjab, and five in Bengal. We ought to leave the Central Provinces out of consideration, as that province has, to a great extent, jungle districts; but if we wanted to attain to the Bombay standard, it would be necessary to have five Deputy Inspectors-General. Personally, I think at

the present moment it is necessary to have five Deputy Inspectors-General in this province. If we go on with the number we have at present I very much doubt, although there is a certain amount of glamour attached to the post, if many officers will in future accept the post of Deputy Inspector-General. One officer, who is fit for the post, has definitely refused it, and I anticipate that there will be others. The work is too hard, the initial emoluments are, I may say, less than those of a senior superintendent of a first-class district.

**Pandit Nanak Chand :** How are they less than the district superintendents ?

**Mr. R. J. S. Dodd :** That is a fact which I will explain to the honourable member afterwards. The work, as I have said, is much more than one ordinary man can perform efficiently. So much for Deputy Inspectors-General.

Now one honourable member referred to the fact that the Police department was top-heavy. That I may say is incorrect, absolutely incorrect. There is no less top-heavy Police department in India than the United Provinces. The figures I give are not my own; they were worked out from the Bombay report for 1924, and I saw them with great pleasure the other day. I have had to correct Burma because they had made themselves a little more top-heavy during the last year. It comes to this, if you lump all your policemen from the Inspector-General down to the lowest constable together, the cost per head per annum of a policeman is Rs. 675 in Burma and goes down through the various provinces till the lowest figure—Rs. 426—is reached in the United Provinces. That means that our province is the least top-heavy throughout India. Apart from that, I can give you figures to show that in the matter of gazetted officers our proportion per district is less than in any other province in India, and I think I am quite correct in saying that out of the 17 largest cities in India, excluding the Presidency towns, seven of them are in the United Provinces, and the large city is a very important factor in fixing the number of superior officers necessary for the efficient supervision of a police force.

The honourable member for Naini Tal also suggested that it was up to us, since crime had gone down, to reduce our men. Well, all members of the force which I have the honour to command are naturally somewhat pleased that we have been able to reduce crime, but nobody can say that it is a satisfactory matter when we have as many as 700 dacoities in one year in these provinces; and certainly this is not the time, with dacoity and other crime still prevalent, to think of reducing a single man. There are other reasons also why it is impossible to reduce our men which can be dealt with at some other time. I was asked last year not to agree to the reduction of a single man, and, as far as I am concerned, I will stand by what I said then that I will never agree, as far as I can help it, to any reduction in the force.

**Mr. C. Y. Chintamani :** Asked by whom ?

**Mr. R. J. S. Dodd :** Asked by a member of this House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am obliged to the honourable member for Partabgarh for the compliments that he paid to me at the beginning of his speech. Coming as they do, from an orator of great fame and a forcible and strong critic of the Government, I appreciate them highly. I am quoted by some other

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members for my speech which I made in 1922. First of all, there is a saying "one lives to learn and one gets wiser as one gets older." But as far as this question is concerned, if my memory is not playing me false, I hope that when I voted for the reduction of one Deputy Inspector-General there were five Deputy Inspectors-General. It was the post of the fifth Deputy Inspector-General which was a temporary measure and that has been reduced. It is my recollection, if I am wrong I hope someone will correct me, that in the Civil List I saw that in those days there were five Deputy Inspectors-General, and I voted that out of the five one should be reduced and therefore my vote was never meant to reduce one of these four. The other point that I wish to press on the House is that in every province Deputy Inspectors-General have got a circle of eleven districts. In Bengal, I am told, they have got a circle of five districts.

**Pandit Nanak Chand:** What are the comparative sizes of those districts?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I am not aware of the comparative sizes of the districts, but you will be pleased to learn that, as far as the range is concerned in the United Provinces, we have got 16 districts in each circle of one Deputy Inspector-General. There is one point. If the House say: "do away with a Deputy Inspector-General altogether, they are useless." This is a debatable point, because then we will have to prove the usefulness of having Deputy Inspectors-General and the honourable members will have to prove that they are useless. But when you admit that there is some use, as is shown by the fact that you say "Do not have three but two Deputy Inspectors-General," thus making the range of every Deputy Inspector-General consist of 24 districts, then I would ask the honourable members to imagine whether he will be able to supervise 24 districts in any effective manner; will it be possible for him to supervise the staff of 24 districts? I think the result will be that efficiency will suffer. It has not been challenged by anybody in the House that Deputy Inspectors-General are simply post offices and that we must do away with them altogether. The question is to reduce the number by one. My contention is that reduction by one is bound to affect the efficiency of the force, because then the circle of a Deputy Inspector-General will consist of 24 districts. These are the reasons which I wish to put before the House for its consideration.

**The Hon'ble Sir Sam O'Donnell:** The honourable member from Partabgarh has referred to certain remarks made by me during the debate on the budget of 1923-24. I am indebted to him for allowing me to see the record of that debate. I have not his marvellously retentive memory for everything that has ever been said on the floor of this House. I have looked at the record, but I cannot find that I said anything from which it can be implied that I was in favour of a reduction in the number of Deputy Inspectors-General.

**Mr. C. Y. Chintamani:** Nor did I say that.

**The Hon'ble Sir Sam O'Donnell:** Then I do not follow the point of the reference. The honourable member cited my remarks, and, unless

my remarks supported his view, then the citation appears to be irrelevant. I certainly held out no hope that there would be reduction in the number of Deputy Inspectors-General.

**Mr. C. Y. Chintamani :** I quoted him only to show the reason why Nawab Muhammad Yusuf withdrew his motion and nothing more than that.

**The Hon'ble Sir Sam O'Donnell :** As the honourable member has referred to my remark, I may point out that after that the system of organization was examined and the results of that examination were given in our resolution on the Economy Committee's Report. In that resolution we stated :

"The Governor in Council recognizes that there has been some justification for the doubts that have been cast on the value of the functions discharged by the Deputy Inspectors-General. But for this the defective system hitherto followed is to blame. Control has been over-centralized in the hands of the Inspector-General and full use has not been made of the territorial Deputy Inspector-General. A radical readjustment of their duties and responsibilities is now being carried out, which will free the Inspector-General for concentration on work of importance and will raise standards within the ranges themselves."

The result of that re-organization has been most valuable. Those who are in intimate touch with the Police department know that this is so. Deputy Inspectors-General are now more than pulling their weight. They have been one of the factors in the reduction in the volume of dacoity. The honourable member for Naini Tal . . .

**Pandit Nanak Chand :** And not the dacoity force?

**The Hon'ble Sir Sam O'Donnell :** That also is another factor. What I say is that Deputy Inspectors-General have been one of the factors and a valuable factor in that large reduction in the volume of dacoity.

Then the honourable member for Naini Tal said that the proportion of police expenditure to the total expenditure in this province is higher than it is in the case of Bombay. That is probably true, but it is not our fault but our misfortune. We have always complained that in the previous financial settlements that were made from time to time those provinces received less than their share. In the old days the financial settlements used to be made on the basis of what was called the standard of expenditure. The expenditure was calculated for a series of years and the province was given a sum sufficient to cover that expenditure. We being an economical province, suffered and we went on suffering. It was a recurring loss, as the same process was repeated whenever a settlement was made, and the Weston Settlement was no exception to that rule. Provinces like Bombay were in the past more liberally treated, in our judgement, at any rate, than we were. The argument of the honourable member for Naini Tal would be valid if the expenditure on police could be varied at our option. But that is not so. The first duty of any civilized Government is to protect the lives and the property of the people. If in any country there is not an authority which can do that, then it is universally admitted that that country is without a Government. It is only after that primary duty has been discharged that money can be found for other purposes. Consider for a moment, suppose our total revenues were reduced to one-fourth of what they are now, could we reduce the police force to one-fourth? Could we carry

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on the Police department with 40 lakhs? Obviously not. If we attempted to do, the result would be that the province would lapse into anarchy.

**Pandit Govind Ballabh Pant :** I do not propose to reply at any length to the speeches made by honourable members in opposition to my motion. I sympathize with the honourable member for Shahjahanpur for opening his speech with the remark, if I remember aright, that he was not there as an advocate to plead their cause in the course of these budget discussions. I do not know why he considered it necessary to repudiate such a charge, as none had been made, probably he had something like that in his own mind or his conscience pricked him or he was anticipating some such criticism. I personally am prepared to wait and see. On one occasion he can be honestly in agreement with Government. As to the speech of the honourable member for Bulandshahr or rather the Hon'ble the Home Member who was then the honourable member for Bulandshahr, I have only to say that when he delivered that speech the point before the House was this: whether there should be four Deputy Inspectors-General or whether there should be only three. There was no question about the fifth. I have gone through the report and I can read out extracts from the speeches. Of course he was then referring to the fourth Deputy Inspector-General. He did not want the fourth. Now at present we have four, three range Deputy Inspectors-General and one in the Criminal Investigation department. At that time the Criminal Investigation department Deputy Inspector-General too was included in "Superintendence." What he said was that they wanted only three and that there should not be a fourth one. I am prepared to say an emphatic yes with the same force with which the police authorities say no. I say that there were only three then; there was not a separate Deputy Inspector-General for Criminal Investigation department which was in charge of Assistant to the Deputy Inspector-General.

**The Hon'ble Sir Sam O'Donnell :** Never.

**Pandit Govind Ballabh Pant :** So far as I have been able to study the question that is my impression. Mr. Chintamani agrees with me as he does not say anything to the contrary. I have carefully read the debate and I have also studied the figures for that time. I am satisfied that there were only four Deputy Inspectors-General including the one for the Criminal Investigation department and he was in opposition to the addition of the fourth. Anyway, we have at present four. In addition to the Hon'ble the Home Member, there is the Economy Committee which came in between and the majority of the non-official members there were for the abolition of two posts, so that they were for the reduction of the four to two. All the members of that committee, including officials, were unanimously in favour of the reduction of at least one. So if my proposal is carried, it will only reduce the number of Deputy Inspectors-General from four to three. It is open to the Government to rearrange the distribution of work in such manner as they like; it does not concern us much. But what we are concerned



with is that the number should not exceed three and that is the only proposal that I am making; it is in accord with the views of Indian members of Government in saner moments when they were not under the intoxication of office.

As to the other points, I should not in any way enter into any discussion with the Hon'ble the Finance Member as to the primary and secondary duties of the Government. I admit that the maintenance of law and order is one of the main duties of Government provided it leads on to something more useful. He said that if our income were reduced to one-fourth, shall we be able to reduce the expenditure also to one-fourth? I put it to him that if our income were below the figure that we are spending today, should we be able to spend as much? I think the answer would be obvious that it could not be possible to do so. What I say is that the expenditure over any subject is determined by the resources of the spender and our expenditure over any department cannot be said to be maximum if we apply American standards. I do not say that the Deputy Inspectors-General are doing absolutely nothing. What I say is that the three range Deputy Inspectors-General are not necessary, considering all the circumstances of our province. Every man that is put in the service must be doing some little thing, but whether that little thing is of such value that we can afford to incur expenditure over that luxury is the pertinent question. I say it is a luxury and not a necessity. Just imagine, what are the grades of the present police force! We have got the sub-inspectors; we have got circle inspectors; we have got deputy superintendents of police; we have got assistant superintendents of police; we have got superintendents of police; we have got special forces in charge of those who are looking after the dacoity force; who are looking after the cattle-theft force; who are looking after the criminal investigation force. So on the top of this we have got assistants to the Inspector-General and then we have got Deputy Inspectors-General. These are links of an endless character. Somewhere the intervening obstacle should be removed so that those above may see clearly how those below are working. In a way they prolong the distance between the man at the top and the real workers at the bottom. What I want is that there should be more of the living touch between the man who is in charge of the department and those who are working under him. It has been said: will a man be able to look after 24 districts? If one can look after seventeen, why cannot he look after 24 or even 25? What I do not see any magic about seventeen. It may be said that he will not be able to do as much of intensive work as he is doing today. That is different, as to that I submit that we cannot afford to spend money when the non-official as well as official opinion has unanimously held that there is room for reduction.

Some comparisons were made with the number of districts. Perhaps the Inspector-General may be knowing that the number of districts in different provinces varies. In Madras it is only 26 while it is 48 here. So the comparison with the number of districts cannot be of much avail.

There was some suggestion made that there is no Deputy Inspector-General in the railway police. I have got an extract from the

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Government resolution on the administration report of the Police department which says:—

“The Assistant to the Inspector-General in the Railway department is practically a Deputy Inspector-General and nothing less than that.”

So that we have five now. I again remind honourable members of the conscientious opinions of the Indian members of the Government and ask them to support them today. They must not be carried away by their political opinions but by their conscientious opinions when their conscience was unfettered. The opinions that they then held were entirely in accord with ours. If they do not do so, they will be doing an insult to their judgement, the unanimous judgement of the non-official members who were not in office then but are now in office. So far as the Indian members on this point were concerned, they unanimously held along with the Hon'ble the Home Member, at that time that these posts were unnecessary.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I beg the honourable member for Partabgarh to come to our rescue, as he has got such a retentive memory, and tell us whether I was right in saying that at that time when I voted for the reduction of one Deputy Inspector-General there were five Deputy Inspectors-General or whether the honourable member for Naini Tal is right in saying that there were four. There were five Deputy Inspectors-General and if once it is decided that there were five then and that the Council voted unanimously for the reduction of one and that reduction has been carried out by the Government, then there is no occasion for the Council to say today that one more should be reduced. If it is proved that there were four, then of course there is some force in the point that that has been the unanimous opinion of the Council for so many years and therefore they want to press it again.

**Pandit Nanak Chand :** Was there a Deputy Inspector-General in the Railway department then ?

**Pandit Govind Ballabh Pant :** Five including the Deputy Inspector-General of the railway police.

**The Hon'ble the President :** The motion is that a reduction of Rs. 100 be made under sub-head “Superintendence.” That is, I take it, with a view to record the opinion of the House as to the desirability of reducing one Deputy Inspector-General under “Superintendence.”

*Question put and adopted.*

**Babu Sampurnanand :** I beg to move a token reduction of Re. 1 under sub-head “A—Superintendence.”

I do so with a view to draw attention to the fact that no attempt is being made to increase literacy in the police force of the province. On page 33 of the police report it is admitted by the Inspector-General “In my opinion every encouragement should be given to make the force literate. The rank and file cannot cope with the methods of the modern criminal, nor meet the other exactions of the present day, until all are able to read and write.” This is one reason for the force to be literate. Again, the general standard of literacy of the general

population is increasing. Moreover, due to causes over which the Government had no control and which it tried to crush down, the level of self-respect of the people is rising. For this reason, we want better policemen, but no effort has been made by the Government to increase literacy in the force. I quote from pages 31A and 32A of this report. It shows that there are 8 817 literate men out of a total force of 31,040, the percentage being 29.3 per cent. The Inspector-General is apparently very proud of this achievement, he thinks we are going at a very fair pace. My contention is that there is nothing to be proud of in this; that this pace is disgracefully slow. To illustrate, I will give figures for the provinces. I find for example in Madras 25,100 policemen are literate out of a total of 26,600. That means 94.3 per cent. In Bombay 13,500 are literate out of 24,000 and odd, which means 54.9 per cent. In Bengal 20,500 out of 26,000, giving a percentage of 77.9 per cent. I am giving figures for 1923 because they are the latest available. Punjab has 6,400 literates out of 19,600, giving a percentage of 32.1. This means that even in 1923 the percentage of literacy in the Punjab was 3 per cent. higher than in our province today. It may be said that the general percentage of literacy of the population there is higher than in our province and therefore it is easier for those Governments to get more literate men. My submission is that this is not so. For instance the general percentage of literacy was 5.5 in the Punjab as compared with 5.8 in our province. This means that while the general percentage of literacy is higher in our province, the literacy in the police is lower in our province. Even in the case of Madras the difference between the literacy of the population there and in our province was nothing like the difference between percentages of literacy in the police forces of the two provinces. There are means at the disposal of Government by which it can increase the literacy in the police force. I will refer only to one. It appears that in the year 1923, 1,244 enlisted in the police force. In 1924 1,738 men enlisted and in 1925 2,122 men enlisted, which means that an average of about 1,700 men enlist every year. Therefore if Government were to insist on taking only literate men every year there would be an increase of literacy in the force by leaps and bounds. Government cannot come forward and say that it would be difficult for them to get such literate men. I find by reference to this report of the Educational department that every year about 8,000 men pass the vernacular middle examination and I find that every year about 2,300 are available of vernacular final passed men who know both Hindi and Urdu. Therefore it would not be at all difficult to get literate men. There are 36,000 men who have passed the upper primary examination and Government could easily take them. I am not suggesting something novel. I have here a letter from the Inspector-General of Police, Bombay. He says:—"I have the honour to state that no one who has not passed the fourth standard in vernacular is appointed to the unarmed branch of the constabulary." If that is what they are doing in Bombay, why can't we do the same in our province? If they are dissatisfied with their percentage of literacy, which is 54, there is no reason why we should not try to remedy the state of affairs here, where the standard of literacy is only 29 per cent. It would not be difficult at all to get literate men at the pay offered. I find that an untrained teacher gets Rs. 15. In the police force the salary is Rs. 13 and a maximum of Rs. 35, so that the salary offered would be quite enough to attract men of this class, the vernacular middle "

[Babu Sampurnanand.]

and certainly upper primary passed men. Mr. Blunt, if I remember correctly, said that if we had literate men in the police force the expenditure would grow five times. I find that even in Madras where the percentage is highest, 94 per cent., the salary of a constable at the start is Rs. 16-8 and a maximum of Rs. 35 as we have in our province so that I do not think there would be great difficulty in getting men here for Rs. 13. Even if we have to pay Rs. 16-8 I find from the police report that the number of men whose service is less than three years is 2,238. I think if we have to pay Rs. 16-8 in excess the increase would be Rs. 93,996 for these 2,238 men. We are spending Rs. 58,37,000 which would mean an increased expenditure of 1-7 per cent. and not 400 per cent. as Mr. Blunt seemed to think. Therefore my point is that there is need for more literacy and the men are there if you would only try to get them. The cost of getting them is not at all prohibitive. There is a precedent in Bombay and here it is only the will that is lacking. Perhaps Government are afraid if they get these educated men that they would be more in sympathy with the people and would not be so easily available for purposes of repression. That is the only reason apparently why you don't get these men. Otherwise you could appoint this class of men and increase the percentage of literacy. In the end I would ask one question of the Home Member. What is the real standard of literacy in the police force? Is a man who knows only Hindi treated as literate or not?

**Pandit Iqbal Narayan Gurtu :** The previous speaker has clearly shown how there is room for improvement in the standard that we have fixed for the recruitment of the constabulary in these provinces. There was a proposal to the same effect which I wanted to make by means of a token cut later on. But with your permission I will take up that point now. Before I do so, I would draw the attention of the House to the condition of literacy not only among the constabulary, but, what will surprise the House, even among the officers. The actual strength of the officers in 1924 was 2,287. The number of officers who could read and write was 2,189. So, Sir, we have in our province the glorious spectacle of having about 100 officers who have the distinction of not being able to read or write. And it is in the hands of these valuable officers that the destinies of our people have been placed. To me, Sir, the worst condemnation of the police force in these provinces lies in the fact that they are still an anachronism in so many respects. They are still years behind the other provinces in literacy. What is the condition that we find in other provinces? In the neighbouring province of Bihar, which is supposed to be more backward than this province, there is no officer who is illiterate. In a province like the Frontier Province there are only four officers who are illiterate and in a province like British Baluchistan there are no illiterate officers. I am perfectly sure that my honourable friend the Home Member would like to be Home Member there rather than here because there he will have so many more literate officers to deal with. In the province of Ajmer-Merwara there is no illiterate officer. In Coorg there is no illiterate officer. Dehi, with its imperial glamour, of course, has no illiterate officer. So that we are even behind British Baluchistan, the Frontier Province, Ajmer-Merwara and Coorg. I ask the Hon'ble the Home Member whether he can really

congratulate himself on this position. I am sure the Hon'ble the Home Member is as keen as this House that we should have as soon as possible a completely literate cadre of officers. The object of this token cut is to draw his attention to these facts and to ask him that he should show a little more impatience than he has done in the past and see that in our provinces we have a complete cadre of literate officers.

Then, Sir, I turn to the constabulary. The previous speaker has shown how we stand there. The average of literate to illiterate men is only 29 per cent. Nearly 71 per cent. of the constabulary is illiterate. The other day an honourable member during the general discussion drew the attention of the Government to this point and the Hon'ble Finance Secretary in reply got up and said: "Look here, if you press us to employ literate constables, think of the enormous cost that it will entail. Think of the large amount of salary that we shall have to give."

**Mr. E. A. H. Blunt:** I was referring to graduate constables.

**Pandit Iqbal Narayan Gurtu:** I hope when retired Indian Civil Service officers will join the police force as sergeants we will have graduate constables also. The language used by Mr. Blunt was, "I would ask honourable members to consider what it would cost to have all literate men in the police force." It was not confined to graduate constables, who would, of course, be interesting entities in the police force. These general remarks of the Finance Secretary clearly included the constabulary also. With the permission of the House, I shall compare the salaries of the constabulary with the salaries of teachers in the vernacular schools. Let us see what salary we give to our trained and untrained teachers in vernacular middle schools. On passing the vernacular final examination the untrained teachers get from Rs. 12 to Rs. 14 a month. Now, take the case of the constables. I believe they are divided into two classes (a) literate and (b) illiterate. An illiterate constable gets Rs. 13 to Rs. 16, while a literate constable gets Rs. 3 extra, i.e., from Rs. 16 to Rs. 19. Now, Sir, if teachers in middle vernacular schools, who have received education up to the vernacular final, can be had on a much lower salary for vernacular schools, I fail to understand how the Finance Secretary made out the other day that it was impossible to obtain merely literate men for the police force, where the scale of salary is admittedly higher than that for untrained vernacular school teachers. It is clear that if the Government decide to establish a literate constabulary, they will not have to add one single pie more to the existing scale of salaries in the Police department. Accordingly, I suggest for the consideration of the Government that a rule be introduced immediately that in future only those persons be taken in the police force who have at least passed the primary stage of vernacular education. I would not at present insist on their passing the vernacular final examination, because perhaps that would be a much higher requirement under existing conditions. If such a rule is introduced forthwith, I am sure we will be able to improve our constabulary rapidly. I find that the average of enlistment to the total force is about 7 or 8 per cent. every year, and if we introduce the rule about educational qualification at once, I believe that in the next ten or twelve years we shall have evolved a complete cadre of literate constables without adding a single pie to our scale of salaries.

[Pandit Iqbal Narayan Guitu.]

My next proposal is that for the post of head constable we should have a double method recruitment—one by direct recruitment and another by promotion. In the case of directly recruited head constables it should be laid down that the passing of vernacular final examination would be the minimum qualification. Thus if we bestow greater and greater care on literacy, I am sure that in a few years we shall be able to wipe out illiteracy from our police force.

**Khan Bahadur Hafiz Hidayat Husain:** I wish to say a few words. During the budget discussion of 1924 I raised this point and my idea is that if after the illiterate constables are recruited they are given a certain amount of education and they will then have a better idea of their duties and responsibilities. Mr. Ashdown, who was then the Inspector-General, gave the Council to understand that he would consider the question of night classes and that the question of removing illiteracy among the constables would be taken up in right earnest. I should like to be told by the Hon'ble the Home Member or the Inspector-General of Police what steps have been taken in this direction. What is the percentage of constables who have been given some education after enlistment? To insist on literary before recruitment may, I am afraid, be not very practicable for the present.

**Mr. R. J. S. Dodd:** As I have already said in my annual report I am in accord with honourable members who have just spoken on the principles that they have enunciated here. I have urged that every constable should be literate, and I look forward to the day when all will be literate, but, like all other schemes for the improvement of the police, this will cost money. Government gives, as the honourable members know, Rs. 3 a month in addition to pay to a literate constable, and by literate I mean one who is able to read and write both in the Urdu and Hindi script efficiently. Last year we found that the number of our literate constables had gone up, and we came to the Council with a supplementary estimate to give this allowance to 500 more men, and the amount required was sanctioned. All those posts have now been filled and I heard yesterday that I again have something like 400 more literate constables. I hope in course of time to put up another supplementary estimate before the House. If, however, the questions in the Police department are dealt with in the way in which they have been today, I doubt whether the honourable members will allow me the funds to recruit any more literate constables.

The speeches that I have listened to seem to imply that the Police department takes illiterate men as constables even when literate men are available. That is not so. I assure honourable members that all other things being equal, literate men get the first chance of appointment. The number of literate men was 8,817 in 1925. This number has gone up by 500 and will again increase this year. We are going on as fast as possible. I think that on a rough calculation we would require at least Rs. 63,000 a month to make the whole force literate. However, it is for Government to pay the bill when we have the men. As regards the illiterate officers, I think these are head constables, who are in charge of outposts and armed policemen. Some of them are deserving men with long service, a limited number of whom, even.

though they are not literate, we are permitted to promote to the post of head constable for illiterate duties. The number is now 70. We are gradually absorbing many of these officers. We are not increasing the number of illiterate officers. I see there were 98 in 1924, but now they are only 70. Next year there may be less.

One honourable member asked what has been done in the matter of night schools. I do not recollect seeing any remarks of my predecessor in which he said that he would introduce night schools. I view the idea of having night schools for policemen with horror. It is clear from the police report the number of days work a policeman puts in in a year. Very often he has to work 24 hours in a day, and if you are going to have night schools, where is he to find time for attending school? On the other hand all recruits when first enlisted are sent to school. For the first six months we give them school work, and we have now at the headquarters of every district a school master who has come to us from the Education department and who has also been trained in a knowledge of police duties and law at the Police Training School. These masters of the Lines Schools teach constables, among other things, to write and read. It is very difficult to teach raw villagers at the age of 19, but we do our best to make them literate. We try to ensure that no man is confirmed unless he is able to write his name and read ordinary letters. In a sense we are making all our men partially literate. This is no doubt a step forward.

*At this stage the Deputy President took the Chair.*

I was in Delhi the other day and the necessity for training constables was one of the problems we discussed there, and I can assure the House that the matter was well threshed out. But, as I said in the beginning of my speech, it is a matter of funds. We cannot obtain educated men, as they are not available at Rs. 13 or 14 a month. I may tell the honourable members who think literate men can be enlisted that we cannot send out press gangs to bring them in. If they come forward, we will enlist them.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The honourable members of this House seem to be under the impression that we do not wish to enlist literate men. That is not the position. In fact if we can get literate men enough to recruit for our constabulary, there will be no need for us to teach them for six months after to enable them to read and write. But the position is that it is not yet possible to get so many literate men for the constabulary. Otherwise I will tell you that we will always be too glad to have literate men. The reason why this is so is, and it is quite true, that literate men would like to become head teachers or teachers of schools, but would not do the duty of running about. They would not like to stand in the portico of this House all day long. That is the reason why literate men do not like to join the police force. They do not like to join the force, not so much because of the pay, but because of the duties like that of running about after dangerous persons from place to place.

**Pandit Nanak Chand:** Has the Government tried to insist upon this qualification?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Here I will give another instance. Last year during the budget debate honourable members will remember—I mean those who were members of the last Council—that it was said in the Council that every sub-inspector should be a graduate and much stress was laid on this. It was also said that if you would only take graduates as sub-inspectors they will come in groups. Well, in deference to the wishes of this Council, we decided to give preference in every way to graduates, with the result that there are only four graduates now in the training school. The Inspector-General of Police received between 500 and 600 applications and I am told that there was not a single graduate's application among them. There might be one or two but of course that makes little difference. This shows very clearly that our graduates do not like to become sub-inspectors. Still we will prefer them, and we will be very willing to take literate constables if we can get them. The other point that was raised by my honourable friend the member for the Allahabad University was about our officers. The Inspector-General of Police has explained very clearly that they are not officers directly recruited but they are some of our old head constables who having done good work have been promoted; in most cases they are only officiating, but in some cases they are in permanent charge of some outposts.

**Babu Bhagwati Sahai Bedar:** Why were they made?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** They were promoted because of their good work. Suppose there is a head constable who endangers his life in the performance of his duties then he is entitled to reward and that is why they are promoted. But they are put in charge of outposts where there is no need of a literate man and I do not think there is any harm if on account of their good services they are given this promotion. Therefore, these are the officers who have been promoted. One point made by the honourable mover of the resolution was that why those who know Urdu or Hindi are not classed as literate. On that point I would be very very clear. Such constables who can read only in Urdu and cannot read in Hindi are classed as illiterate and in the same way such constables who can read only in Hindi and do not know Urdu are also classed as illiterate. I think our position is very fair.

**Pandit Nanak Chand:** When was such an order issued?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I am not aware of the date of order. I am, however, told that many years ago such an order was issued and those constables only who can read both in Urdu and Hindi are classed as literate. Therefore, the position of the Government is very impartial that way. No question can be raised. I hope after all this assurance the honourable member will be pleased to withdraw his motion.

**Raja Jagannath Bakhsh Singh:** I shall just mention my own personal experience on the subject raised by the Hon'ble the Home Member. The Hon'ble the Home Member says that in these provinces generally the tendency of the educated persons is not attracted towards service in the Police department. He did not particularly limit his remarks to the constabulary, nor do I think can any such distinction be made among the educated persons. First of all, I would like to know



why it is particularly so in these provinces and not in other provinces as cited by the other honourable members. It has been pointed out on the floor of this House just a few minutes before that in the other provinces the percentage of literacy in the police service is very high. For instance, in almost all the provinces there is not a single illiterate man amongst the list of officers. Then again, Sir, limiting my experience to these provinces, I had an occasion to be a member of the two consecutive selection committees for the grades of Deputy superintendents of Police. There was another colleague of mine who is sitting in the centre benches of this House, and I think he will bear me out when I say that it was extremely difficult to make a distinction between the academic distinctions which the candidates possessed. There were Sandhurst returned candidates for the post of Deputy Superintendent of Police. There were a number of M.A.'s, M.Sc.'s, LL.B.'s, with all the best academic distinction, who applied for the service. If men of such high distinction aspire to go to police service as deputy superintendent of police, is there any reason why the vernacular final passed student should object to go as constable. The honourable member sitting opposite has been whispering with his colleague which I could not particularly hear. But I do maintain and I say with strong emphasis that there is no force in this argument that the educated people object to work as constables or any other similar post. They would rather make a distinction between the emoluments of the police and the educational services. Why, as pointed out by an honourable member, a person is eager to get service in the education department as a teacher on a certain village school and objects to getting into police service when he gets a little more pay.

My friend opposite will get an opportunity of standing up and ventilating his ideas and I will then see what he makes out. As far as I am concerned, I hope I will be supported by other members that there is no such objection in these provinces.

**Rai Bahadur Babu Vikramajit Singh :** The Inspector-General of Police told us that the number of literate constables in the Police department was small because he could not get sufficient money to engage literate constables. He said that if the Council could find Rs. 63,000 a month more, then all the literate constables could be engaged. He never said that there was any difficulty in getting literate people to join the police service as constables, but I find from the interruptions made by certain honourable members in this House when my honourable friend Raja Jagannath Bakhsh Singh was speaking, that they thought that there was no difficulty in getting literate men in the police service. The Hon'ble the Home Member made a point that educated people were not willing to join as constables in the police service. There is a vast distinction between an educated man and a literate man. A man who can only read and write Urdu and Hindi is considered to be a literate man and will be willing to join the police department or any other service which he can possibly get. I have never heard any objection being raised to men joining the police service because they are literate. It is not for the official benches to say that they are not in a position to get literate constables. The Inspector-General never told us that there was any difficulty in getting literate men on the pay we gave to literate constables. I do not know how the Hon'ble the Home Member could urge

[Rai Bahadur Babu Vikramajit Singh.]

that the literate people were not willing to become constables because they will have to move about from place to place. I think that this is a speculative or an imaginary argument. If the Government were to lay down a rule that they will only enlist literate constables and if they keep it open for twelve months and then come forward and say that they have not been able to get literate constables, there will be something in that. But unless an experiment has been made, I submit the argument has no force that literate people were not coming forward to join the police as constables.

In the same way the Hon'ble the Home Member said that this House had expressed a desire that graduate sub-inspectors should be enlisted and he could not get more than four, and from that he attempted to argue that graduates were not willing to join the police service as sub-inspectors. I most respectfully join issue with him. I have got personal experience of Calcutta itself. When I became chairman of the municipal board of that place, I found that there was hardly a single graduate in the municipal service, and was told that graduates were not willing to come into municipal service. I made it a rule that people who would care to join either on Rs. 50 or 80 should be either graduates or under-graduates, and I received a very large number of applications from graduates who wanted service. In the same way I found that people who were not S. L. C.'s were given posts. I said no post on Rs. 30 should be given to a man who was not an S. L. C., and now we find every one who is an S. L. C., a graduate or an under-graduate applying for the various posts. So it is not quite accurate for the Hon'ble the Home Member to say that they have tried this experiment and it has failed. They have not made it a rule that the graduates or under-graduates alone will be enrolled as sub-inspectors; they merely say that preference should be given to graduates. I submit that, unless they say that for a particular post the minimum qualification is that a man should be an Intermediate or a B.A., there is no harm in saying, as the Hon'ble the Home Member said, that preference should be given to a graduate. We know that in the Police department there are people who are absolutely uneducated, who have passed no examination, and uneducated have got a much better chance, they got recommendations from people who are highly placed. People who are graduates may be able to get no recommendations and thus they may not be as fortunate as their brethren who have passed no examination. Therefore, if the Hon'ble the Home Member will make a rule that literate constables only will be enlisted and graduates and under-graduates will be enlisted for sub-inspectorship and they keep this offer open for twelve months, I guarantee very many people will be coming forward to take advantage of this offer. Therefore, I say that the Government should not oppose a motion of this nature which goes for literacy, for education; we should not put a premium on illiteracy by inviting those who are either illiterate or half-educated.

**Mr. C. Y. Chintamani:** The Hon'ble the Home Member has pleaded that there is no reluctance whatsoever on the part of the Government to attract men who can read and write to serve in the Police department, and the observations of the Inspector-General of Police who spoke before

him were in the same sense. Both of them pleaded that educated men, meaning thereby literate men, those who can read and write, did not care for service in the Police department. What were the Government to do? I should like to know if it had ever struck the Hon'ble the Home Member to inquire why in other provinces literate men have not that invincible reluctance to join the Police department which he alleges exists in these provinces. Are there any special characteristics of the people here which are not shared by our countrymen elsewhere, or is there anything specially wrong in the Police department, that, although they share the same characteristics, they do not wish to join as their compatriots do?

Figures have already been quoted to the House relating to literacy in 1925. Out of a total actual strength of 30,045 men only 8,817 could read and write. Without difficulty the House would make out what proportion this 8,817 bears to 30,045. It is a little over one-fourth, much less than one-third. This was the figure of the United Provinces for 1925. Going back ten years, in the year 1915 in the Madras Presidency out of a total of 29,895 men no fewer than 26,211 were literates. In the presidency of Bombay in the same year, out of a total of 29,629, 13,622 were literates. In Bengal in the same year out of 23,612 no fewer than 13,021 were literates. In India, as a whole, in 1915 there was a total actual strength of 181,842 men and out of them no less than 95,610 were literate. That is decidedly more than one-half of the total strength. Ten years ago in the whole of India more than one-half of the men were literates and in 1925 in the United Provinces only 8,800 out of 30,000 were literate. See where we stand. We are now much more backward than the all India average for 1915 points to. Why should not an active, a persistent effort be made by the Government to appoint only literate men? Whether the Government did really make an earnest and a persistent effort, we have occasion to doubt, on account of a rather unfortunate observation by the Finance Secretary which my friend behind quoted a few minutes ago. But the Hon'ble the Home Member has stated that no man who is not literate both in Urdu and Hindi is classed as a literate and is admitted to class A of the constabulary. Now even there the Government have not made up their minds that to class A they would not admit any illiterate man. I am not discussing the question of Urdu *versus* Hindi. I have got the order—the order which divided constables into class A and class B and fixed higher pay for class A because they were literate both in Urdu and Hindi. Even in that order, they have watered down the determination and resolved to admit illiterate and semi-literate men to class A. Here is an extract from the *Police Gazette* dated October 20, 1920, printed at page 607 of the *Police Gazette*. If he wants more details, I will tell him. Miscellaneous No. 1771-VIII/302, dated October 13, 1920, revision of the pay and allowance of the subordinate ranks of the United Provinces police. The last sentence which refers to class A literates is this.

“In the case of specially qualified illiterates or semi-literates admission is restricted to five per cent. of the total strength.”

Having emphasized in the earlier part of this first paragraph of the order that this class A of constables was specially created on a higher pay in order to recruit only men literate both in Urdu and Hindi and having marked off illiterate constables in class B at a lower pay, this

[Mr. C. Y. Chintamani.]

Government with its ancient and inherited love of illiteracy watered down this first paragraph by making provision for five per cent. of literates or semi-literates in this very literate class A of the constabulary. I hope the Hon'ble the Home Member who was not responsible for this order and whose inquiries from his officers show that he was not aware of the contents of the order, will now get a copy—I can lend him this copy if he wants—find out and see what changes are required to be made, and will make more strenuous efforts than we have reason to suspect are being made in order to root out illiteracy from the police force.

**Pandit Badri Dutt Pande :** I am glad that the point that was raised by me in the Budget debate has been fully threshed out. There is another point that I now wish to raise. In districts half-educated reporters are sent to report speeches made at meetings and two or three constables, who are uneducated, accompany them. They simply take down one sentence here and one sentence there and the rest is filled in by themselves at the police station. They consult and say :—

“Badri Dutt ne yeh kaha tha aur woh kaha tha. Nahin yeh nahin kaha tha ; yeh kaha tha.”

Somehow or other a report is prepared and sent to the Superintendent of Police and the District Magistrate. A case is then instituted on the basis of that report against the speaker. I think this is very unfair. If you wish to hang a man, hang him on true evidence. Do not hang him on the basis of a few sentences which may or may not have been spoken by him. If you want to have reports of the speeches that are delivered, send district court stenographers who can report the proceedings in full. It is a scandal that only half-educated constables are asked to report proceedings and their reports are considered as absolutely reliable. I spoke to a Deputy Commissioner of my district on the subject, and now the sub-inspector sometimes brings a copy of his report to me for correction as is done here in this Council. This is done when I am M. L. C. and it was not done before I was raised to this position. There is no objection to reporting speeches that might be made, but certainly it is very unfair that they should be reported in a most haphazard way. I hope this point will also be looked into by the officers of the department. ]

**Babu Sampurnanand :** I have listened with care to the speeches of the Inspector-General and the Hon'ble the Home Member. I am afraid that I cannot see my way to comply with the request of the Hon'ble the Home Member to withdraw my motion. One of the points made by him was that he could not induce enough graduates to apply for sub-inspectorship. The reasons for this have been given by other speakers and there is only one reason more that I might add to those already given. Educated men and graduates usually belong to those castes which up to this time had been prevented from entering the police service. Probably they are not yet aware that they are eligible for service in the police force and that is one of the reasons why many graduates have not come forward. I now come to the constabulary. It has been said that every year literacy is increasing and that we are giving extra salary to those who learn reading and writing. That is good so far as it goes, but my point is this that you can increase your figures of literacy

by insisting that you will not take in future any man in the force who is not literate.

The Inspector-General said that, everything else being equal, he was quite willing to take literate men. Everything else is bound to be equal, for those men who pass the vernacular middle examination or the upper primary examination belong to those very classes, belong to those very families, from which you get your constables. Therefore there cannot be any fear of there being physical deterioration in the police force if you take them. The trouble is this: so far they do not know that they will get special preference over illiterate men. Let it be known once for all that no illiterate men will be taken; that the competition will not lie between literate and illiterate men but between two literate men on grounds of physical efficiency and you are bound to get literate men in future. You cannot send round press gangs, but you can do other things. You can certainly have a publicity campaign. You should say that you will not take any illiterate man and there should be absolutely no paucity in the number of literate men for the police.

The other arguments which were put forward by the Government have already been replied to and I do not wish to add to them, but I wish the House to make clear to the Government its opinion that it insists on having only literate men in the police.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I am sorry that the honourable member could not see his way to withdraw the motion. In fact I do not know what is there to press in it. We said at the very outset that we do give preference and we are willing to give preference to literate men in the service.

[Some honourable members: Why not make a rule?]

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I would like honourable members to let me continue my speech without interrupting me.

**The Deputy President:** If any honourable member desires to raise a point of order, he has to get up and rise to his feet.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I remember it very well that last year the honourable member for the United Provinces Chamber of Commerce spoke in the same strain about the graduate sub-inspectors: "Make a rule; give them preference; they will come in large numbers." But when we gave preference, we found that out of five hundred applicants there were two or three graduates who came forward.

No further point has been brought to our notice except what has fallen from the Hon'ble Member for Partabgarh. It is quite correct that I have not seen that order and I do not know what is there. Of course I cannot say anything about it unless I see it myself.

One more point was raised by my honourable friend from the British Indian Association. He spoke something about the analogy of Deputy Superintendent of Police. The analogy of the Deputy Superintendent of Police will perfectly apply to the constable if this House could only raise the emoluments and status of the constabulary to those of the Deputy Superintendent of Police.

**The Deputy President:** Does the honourable mover desire to have the question put?

**Babu Sampurnanand :** Yes, Sir.

**The Deputy President :** The question is that a reduction of Re. 1 be made under sub-head "A—Superintendence."

[A division having been called for one or two honourable members were canvassing among the members, on which Khan Bahadur Jafar Husain said.]

**Khan Bahadur Mr. Jafar Husain :** Are these honourable members in order, Sir, in canvassing here?

**The Deputy President :** No canvassing is allowed inside the House.

[Some honourable members wanted to know the particular point on which their votes were being taken.]

**The Deputy President :** I cannot supply the honourable members with more information than that the motion before the House is for a token reduction of Re. 1 under sub-head "A—Superintendence."

**Shaikh Habib-ullah :** What is the token reduction for?

**The Deputy President :** To express the dissatisfaction of the House against the policy of the Government in not making a rule to enlist literate constables only.

**Pandit Iqbal Narayan Gurtu :** Are the honourable members to discuss with the Chair?

**The Deputy President :** I cannot throw more light on this. If the honourable member was absent during the discussion, I cannot help him by throwing more light on the subject.

*The Council divided as below :—*

*Ayes 36; Noes 51.*

*Ayes.*

Babu Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Raja Sri Krishna Dutt Dube.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Mr. Muhammad Habib.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Kuan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.

Sir Ivo Elliott.  
Mr. P. H. Tullard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.

## Noes.

Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Charana.  
Rai Bahadur Lala Shyam Sundar Lal.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Rao Sahib Kunwar Sardar Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Kunwar Surendra Pratap Sahai.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.

Lieut. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Saiyid Jafar Hussain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Niamat-ullah.  
Mr. St. George H. S. Jackson.  
Kunwar Bisheshwar Dayal Seth.  
Mr. E. M. Souter.  
Mr. J. P. Srivastava.

**The Deputy President:** Now we enter into the domain of the Criminal Investigation department.

**Pandit Bhagwat Narayan Bhargava:** May I, with your permission, Sir, alter the figure of my reduction from Rs. 25,000 to Rs. 12,000.

**The Deputy President:** Yes.

**Pandit Bhagwat Narayan Bhargava:** I beg to move a substantive reduction by Rs 12,000 of the item concerning pay of officers (page 39 of the detailed estimates) under sub-head "B—Criminal Investigation department."

Just as there can be no finality in the matter of administration, so under the present Government there is to be no limit to the number of officers. If we will see the detailed estimates for the year 1924-25, we will find that the post of Deputy Inspector-General, Criminal Investigation department, was then for the first time transferred under the head of "Criminal Investigation department." Before that year he did not appear under that head. Then we also find that in 1921-22, 1922-23 and 1923-24 there were only four deputy superintendents under this department. Today we find their number to be six, viz., that two deputy superintendents have increased in this department. One deputy inspector-general has also been added to this department. I do not know what change has there been in the circumstances since then that there has arisen the necessity of increasing the number of deputy superintendents by two and adding the post of one deputy inspector-general. Sir, as the honourable members of this House are aware, it was the unanimous recommendation of the Economy Committee to abolish the post of deputy inspector-general of this department. On that committee two representatives . . .

**The Deputy President:** I should draw the attention of the honourable member to the fact that we have already discussed the Deputy Inspector-General, Criminal Investigation department. If he has any other points to make, he can do so.

**Pandit Bhagwat Narayan Bhargava :** We discussed the deputy inspectors-general under the head "Superintendence" and not the Deputy Inspector-General of Criminal Investigation department, and there were two separate recommendations of economy with different arguments.

**The Deputy President :** I disallow the reopening of arguments concerning deputy inspectors-general; they have already been discussed. We have sufficiently discussed the deputy inspectors-general. If the honourable member wants to raise any other questions, he may do so.

**Pandit Bhagwat Narayan Bhargava :** Then, I will confine myself to the posts of the deputy superintendents of police. We find that they are six today; they were four in 1923-24 and before that. I do not see any reason why we should have six now under this head. I do not think that the safety or tranquillity of the province will be endangered if these two posts of deputy superintendent are abolished. If the Government think otherwise, I would ask them to try it only as an experiment, if not as a permanent measure, and abolish two deputy superintendents under this head. If they find that simply on account of this abolition the foundations of the British Government begin to shake in this province or that chaos and anarchy are developed, then they may at once restore them and we would not object to that.

**Mr. R. J. S. Dodd :** I do not quite understand the point which the honourable mover desires to raise. The number of Deputy Superintendents in the Criminal Investigation department is six and it has been six for the last three years and was passed by the Council at that number three years ago and again last year. I do not wish to waste the time of the House by going into the details of the duties of these deputy superintendents. That was done by my predecessor two years ago.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am unable to understand why the honourable member has moved for this substantive reduction, because there is no increase in the cadre of deputy superintendents of police as far as the Criminal Investigation department is concerned. As has just been explained by the Inspector-General, there were six deputy superintendents last year, there were six the year before last, and this was passed twice by the Council, and there are the same number now. Moreover, these are two posts held by Indians and I do not see why they should be kicked out.

**Pandit Bhagwat Narayan Bhargava :** I have nothing more to say.

*The motion was put and negatived.*

**Pandit Bhagwat Narayan Bhargava :** I beg to move a substantive reduction by Rs. 12,000 of item concerning Secret Service money (4) Supplies and services (page 40 of the detailed estimates) under sub-head "Criminal Investigation department."

I have not much to say on this except that this money appears to be spent, as appears from these very words, secretly. I inquired from the Finance Secretary about it, but he himself was unable to say how this money was being spent. We are asked to vote for certain expenditure and the utility of it we do not know. Moreover, this expenditure has increased since the last year and the year before last. I would like to know how and in what way this money is spent year after year.



**Mr. E. A. H. Blunt:** I should like to explain why I told the honourable member that I could not say how this money is spent. I am reminded of a story of an officer who asked for leave on urgent private affairs. Government asked him what the urgent private affairs were. His reply was that if he told Government what they were, they would cease to be private and if he did not at once get the leave they would cease to be urgent. I am in much the same position. If I knew what this expenditure was, it would cease to be secret.

**Pandit Bhagwat Narayan Bhargava:** I have not got a reply or any information which I wanted as to how and in what way this money is being spent. Is so much money to be taken from the tax-payers without any explanation and are we to vote this money simply because it is provided in the budget or are we entitled to know how it is going to be spent before we vote for it? I think we should not blindly vote for any demand of expenditure.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** This question was raised last year also. The difficulty of explaining how the money is spent is this. Every police, even Scotland Yard, has some secret money at its disposal, and every Government whether a republic or monarchy or an autocracy has some secret money at its disposal. They cannot possibly explain to the House what this expenditure is that is made out of it. I do not think it is possible for the Inspector-General or me to lay before the House what the details of this expenditure are. It is only Rs. 12,000 that we get as secret service money and it is secretly spent and the Criminal Investigation department spends most of it.

*The motion was put and negatived.*

**Pandit Govind Ballabh Pant:** I beg to move a substantive reduction by Rs. 25,000 of item concerning Criminal Investigation department (page 40 of the detailed estimates)—Police.

If honourable members will please look at the figures they will find that expenditure under Criminal Investigation department amounts to Rs. 3,51,000 in all. The superior staff comes to ten. Out of these one is a deputy inspector-general, two are assistant to the deputy inspector-general and one again is assistant to the deputy inspector-general and six are deputy superintendents. I may state that in this respect at least the Government will, I hope, admit that the higher section of the Criminal Investigation department in our province is over-staffed, as compared with Bombay or Bengal even. When even in a place like Bengal which is said to be honeycombed with dreadful societies there is a smaller number of officers, there is no reason why we should have as many as ten in our province. I may also state here that in 1913-14 the total number of officers in the Criminal Investigation department was four only. If honourable members will please refer to the report of the economy committee, they will find there that in Bengal in 1923-24 the number of officers was only six; in Madras it was five; in Bombay it was eight, and in the Punjab it was seven. As we were told earlier in the day, the expenditure under the police in these provinces is far in excess of the expenditure in our own province. If that is so, and if they can manage with a smaller expenditure in their provinces under this head, there is no reason why we should be extravagant in our own. Besides, as I just pointed out, in some of these provinces

[Pandit Govind Ballabh Pant.]

the need for the Criminal Investigation department is greater than in ours. I will also invite attention to the remarks of the Inspector-General of Police in his report. He has shown therein that the number of dacoities along with dacoities with murder in this year is very small. It has gone down considerably. They are given in his diagram and from them, if I am not mistaken, the number comes to about 700, while some years ago it was more than double that figure. Similarly, in the case of murders there has been a considerable fall. He also observes that the total volume of crime has been the lowest during the last eleven years. He also observes that the political condition of the province is considerably better and there is no room for any anxiety. He also observes that the arrest of Kakori prisoners and the trial of the Kakori case has given a very serious setback to the growth of revolutionary movements in these provinces. If you take all these factors into account, then you find that there is not as much necessity for such a large force now as there was some time back. I may also inform the honourable members that in the Criminal Investigation department special allowances are given to various members of the staff. The senior and junior assistants to the deputy inspector-general draw special pay of Rs. 150 and Rs. 100 a month. The senior assistant superintendent of police attached to the Criminal Investigation department draws a special pay of Rs. 50 per month. When they get their travelling and other allowance just as others do, there is no reason why they should get these special allowances when other officers are not getting them. Besides, as there is a tendency towards specialization in the police force and as there are specialists dealing with various branches of crime the need of the Criminal Investigation department is to that extent lessened. On these grounds I move for a lump reduction of Rs. 25,000 leaving it to the Government to adjust the items under various heads.

There is one other reason which I may state in the end and it is this. During the last 15 or 16 months the Kakori case has been under inquiry and trial. I can say from my own knowledge that a number of officers of the Criminal Investigation department have been engaged in looking after this case, and from a rough estimate I think the expenditure for the prosecution of the case on account of these officers would not come to less than Rs. 3,000 a month. As that case is nearing its end now, this need will cease. So we can make a saving of about Rs. 40,000 a year on account of these gentlemen only who are engaged in this work. In these circumstances, I think I am not making any extravagant request when I approach the Hon'ble the Home Member with the suggestion that he may be pleased to make a cut of Rs. 25,000 of his own accord irrespective of the vote in his or our favour.

**Mr. R. J. S. Dodd :** As I said just now, the Criminal Investigation department was re-organized three years ago and that is the reason possibly why it appears, if I may use an expression used by an honourable member once before, so top-heavy. It was purposely made top-heavy. In a department in which important duties have to be performed such as the officers of the Criminal Investigation department have to do we do not want low-paid officials. Further, we have removed almost all the constables. I do not think there is a single constable in the Criminal Investigation department now except for orderly duty. We

also removed a number of sub-inspectors and we have put in their place a number of higher graded and better educated officers. The re-organization scheme was explained to the House two years ago by my predecessor and was accepted by it. It has now been in force for the last three years.

I also dealt last year with the necessity of the development of the Criminal Investigation department on the criminal side, but as I have not been asked anything about it this time, I do not propose to say much on the subject. I should, however, like to inform the honourable member for Naini Tal that the Criminal Investigation department does not deal with dacoities. We have got a special dacoity force for that. Nor do they deal with murders in the ordinary sense. It is only in special cases of murder that their services are employed. Further, as I stated in my annual report, as the result of improved industrialization, improved communications and to some extent also (if I may say so without any offence) to improved education, in the country, some criminals are now becoming more expert, and their operations are such as to cause a very much greater loss of property than occurs in an ordinary dacoity or burglary. I am not going to take up the time of the Council in dealing in detail with any of the 69 cases which have been investigated by the Criminal Investigation department this year. Some of them were of a most intricate character. I will just mention one, viz., the soldered coins case of Meerut. Investigation in this case has taken nine months. We have to employ on these cases expert officers for a long time, and if such cases are not dealt with by the Criminal Investigation department they would result in a loss of lakhs of rupees. So I believe the House will realize that the money spent in the investigation of these cases has been indeed well spent. We cannot reduce our force, as the honourable member would wish us to do, simply because we have had a good year. If in a good year we reduce our force, the whole system of police administration will be upset. Suppose a good year is followed by a bad year. In that event we should not get back the men we had already disbanded. Consequently, it is impossible to cut down the police force simply because in one year crime has gone down. Indeed crime has certainly not come down to that level at which I would wish it to be.

As regards the question of allowances, I may say that the officers in charge of the three main branches were given these allowances, and that this matter also came up two years ago with the general scheme and received the concurrence of the House. Such allowances are only given to officers who perform duties which are particularly onerous and entail hard work.

I do not want to say anything about the Kakori case. We have had to employ in that connexion a few extra men in the Criminal Investigation department and as soon as it is over, we shall have a saving, not in the Criminal Investigation department but in the executive force, from which we have had to take men to replace these employed on this case.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I want to say just a few words to explain one or two points in the speech of the Inspector-General. When he said that the Criminal Investigation department does not deal with cases of dacoity murder, what he meant was that it does not deal with su-

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

ordinarily, but it takes up such cases when there is a murder or dacoity by a very clever man who has left no trace. In fact the duty of the Criminal Investigation department is to be able to trace such complicated cases which cannot be dealt with by the ordinary police. It is one of the reasons why we pay our Criminal Investigation department men slightly more than the ordinary police. Further the work of these Criminal Investigation department men is a little bit secret and we want men of integrity and honesty who can be trusted.

[*The Hon'ble the President here resumed the Chair.*]

When the Inspector-General said that with the improvement of education criminal men have become more clever, he did not mean to cast any slur on education; but what he meant was that people are now getting more clever and they are using new scientific methods. This is the reason why we should have a more equipped and more intelligent Criminal Investigation department to deal with these people.

**Pandit Govind Ballabh Pant:** Neither of the two speakers on the Government side has cared to meet my arguments. Perhaps they are lulled into a feeling of absolute security. Whatever may be the reasons, they have not answered any point urged by me. The fact remains that there has been a considerable growth in the expenditure on the Criminal Investigation department during the last thirteen years. In 1913-14 the expenditure was about half of what it is today. The Economy Committee proposed certain changes, but they were not adopted. They pleaded for economy, but their plea was not accepted. The Criminal Investigation department Deputy Inspector-General is going on as merrily as before. Instead of two assistants there are now three. We have got the welcome news in the report prepared by the Inspector-General of Police that the Secretary of State has permanently sanctioned the addition of a third assistant. Here again I record an emphatic protest against the method adopted by the Government. Year by year we have been asking for a reduction in the staff of the Criminal Investigation department. Further we have been asking for the Indianization of the services. In the face of all that, as though with a view to give a slap in the face to the Council, we are told that the Government has approached the Secretary of State and he has agreed to the addition of a third assistant to the Deputy Inspector-General, Criminal Investigation department. That is, to say the least, most irresponsible even for the autocratic Government under which we live. Then, Sir, the report in my hands says that certain reductions have been made in the establishment. It says that there was a reduction of two out of the five inspectors in the Translation branch. One post of inspector in the Criminal Tribes section also came under reduction. But if you look at the detailed estimates you will find that no allowance has been made for the reduction of these posts. It is one of the dodges adopted by the various departments that they over-budget for their expenditure, so that they may have something to use according to their pleasure, and the Inspector-General also seems to have adopted that method. I do not think I am giving out any secret when I say that the Kakori case has almost come to an end. So the extra expenditure will not have to be incurred next year. In these circumstances if I ask for a reduction of Rs. 25,000 I do not see how my request can be reasonably refused. I am sorry that Government are not pleased to accept the reduction, and so I can only request the

honourable members of this House to take a reasonable view of the matter. They may also take into account that the Hon'ble the Home Member is handicapped: he is not quite free to give out his own views. He cannot abandon publicly his assistants and the Inspector-General of Police. He is also influenced by the Chief Secretary, who is a very strong person to deal with. If therefore the Hon'ble the Home Member gives the technical "no" to my proposal the honourable members should not therefrom infer that he is against a judicious use of public money. His heart may be beating in rhythm with that of the non-official members, but if the exigencies handicap him, I hope the honourable members will assert themselves so as to enable him to carry out his real wishes.

*The motion was put and the Council divided as below:—*

*Ayes, 35; Noes, 48.*

*Ayes.*

Sri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Lala Nemi Saran.  
Thakur Sadho Singh.  
Pandit Bhagwat Narayan Bhargawa.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tewari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Raja Shri Krishna Dutt Duba.

Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukundi Lal.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Shaikh Muhammad Habib-ullah.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Charana.

Thakur Partap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukam Singh.  
Raja Kishor Pal Singh.  
Rao Sahib Kunwar Sardar Singh.  
Rai Bahadur Babu Abhaimandan Prasad.  
Kunwar Surendra Pratap Sahi.  
Haji Abdul Qayum.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ut-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Ambe Prasad.  
Kunwar Bisheshwar Dayal Seth.  
Mr. E. M. Souter.  
Mr. J. P. Sriyastava.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I beg to move a token reduction of Rs. 1,001 under sub-head "B—Criminal Investigation Department" with a view to abolishing the post of the Deputy Inspector-General, Criminal Investigation department.

**Mr. R. J. S. Dodd :** I rise to a point of order. This has already been fully discussed.

**The Hon'ble the President :** I understand from the Deputy President that a little while ago he ruled from the chair that no motion for the reduction of the post of the Deputy Inspector-General, Criminal Investigation department, can be taken up now. I do not sit in appeal from the rulings of the Deputy President. Consequently this motion is out of order.

**Babu Kavendra Narayan Singh :** Before proceeding with my point I cannot fail to thank the Hon'ble the Home Member for the three main points he has given to us about the working and the administration of the Police department. They are efficiency, economy, and the raising of the moral status. I think these three points are quite sufficient, and, if they are strictly adopted and adhered to, there cannot be any question on the efficiency of the Police department. I hope, in view of the assurance offered to us, there will be a very perceptible change in the future. Now the point that I wish to emphasize by introducing the cut is that the Criminal Investigation department, as is visible from the report submitted before us, has not shown much decrease in the total number of thefts, and out of the property stolen a very little percentage is shown as property recovered. I think, by introducing the cut under this head, we shall be doing a great service, and the masses will be able to understand the exact position of this Criminal Investigation department. It is by introducing a reference under this head that we will show to the public that the property that is stolen is recoverable to a greater extent, and this is the time when it can appeal mostly to the masses. Moreover, I find that the statistics, as given of the property stolen, are not exactly what they ought to be, because I know personally that there are many theft cases. Out of those there are a good many cases for which people do not go to the police to report. I think the Criminal Investigation department should, as a matter of fact, find out as to how many cases like those are being suppressed.

Then another point in connexion with this which I would like to bring to light is about village headmen and mukhias. Under these heads we find that there is a decrease; and, with due regard to the three important points as enumerated by the Home Member, I think special stress should be laid on the appointment of these mukhias and the constitution of panchayats.

**Babu Shyam Lal :** I beg to offer a few observations in regard to the activities of the Criminal Investigation department in certain cases; or, if I may be allowed to say, super-activities of the Criminal Investigation department. By this I mean the activities of the Criminal Investigation constables or other officials in plain clothes. I think it has grown so much that it has become a sort of public scandal. If we were to look into every-day cases we will find that all those persons who have become alive to the cause of political regeneration of India have become marked men. I would, with your permission, cite a few examples, commencing from Mr. Gokhale, whom you were pleased in one of your speeches to rightly call the Gladstone of India, coming to Sir Tej Bahadur Sapru, of whom we are justly proud, then the Hon'ble Pandit Gokaran Nath Misra, before his elevation to the Bench of the Hon'ble the Chief Court of Oudh, they were all once marked by the

Criminal Investigation department if my information is correct. I would refer to the case of Rai Sita Ram Bahadur (you, Sir), of which I have got distinct evidence before me. He said (at page 160, Vol II, United Provinces Council proceedings, 1921): "I may at the very outset assure the Council that I have no intention whatever of relating my personal experience of the jails or convict settlements, but to take my honourable friends here into my confidence I may say that I have not been inside one either permanently or temporarily, even in spite of the intentions sometimes of Mr. Kaye's Criminal Investigation department."

**The Hon'ble the President :** Rai Sita Ram might have said that in a humorous way.

**Babu Shyam Lal :** I am making a general observation. I think the time has long passed when this sort of honorary guardians and protectors, if I may so call them, used to attach any degrading value.

Of course, these activities can be explained only by one hypothesis, and that is that the activities are directed towards undermining the progress of our aspirations. You may go on sleeping over your own rights of citizenship, but no sooner you become alive to them you are a marked man and you have the honour of being provided with an honorary guard. I might say that all these luminaries whom I have referred in the previous part of my speech never belonged to the Machiavellian school of politics. Of course, they had the cause of India at heart. I think every Indian in this House will rejoice and hope that the day will soon come when we shall have self-government and any gentleman who says that he belongs to the *ji huzur* class with the motto سر تسلیم خم ہی جو مزاج یار میں آوے is not sincere to his conscience or a well-wisher of the country. There can be only two reasons for this sort of attitude : either it is with the approval of the Government or against the approval of the Government ; in both the cases, I think, we are entitled to register our strong protest.

**Thakur Manjit Singh Rathor :** I desire to offer a certain suggestion to the Inspector-General of Police in connexion with a very important and a very sensational matter of which all gentlemen who are readers of newspapers are aware. Gentlemen who generally read papers are aware that about one month ago a letter was written by an important personage now a resident of Dehra Dun, and not a voluntary resident but a compulsory resident—and I may say a State guest in Dehra Dun to the district authorities, that he was being watched and followed by certain unknown persons, and he thought that those unknown persons belonged to a gang of his enemies. To be more clear, His Highness the Maharaja Sahib of Nabha, who is at present a citizen of Dehra Dun, wrote to the District Magistrate at Dehra Dun that he was being watched and subjected to a sort of mysterious surveillance by certain unknown persons and he was under the impression that they were the agents of his enemy, namely, a certain ruling prince of the Punjab whose name I cannot mention here. So I wanted to suggest to the head of the Police department, whose budget is under consideration at the present time, that the Criminal Investigation department which is notorious in India as the Crush India department, a department which takes special interest in following the activities of politicians, a department whose members take special delight in unearthing sometimes supposed and sometimes real conspiracies, I would suggest that this

[Thakur Manjit Singh Rathor.]

department should in consultation with the author of that petition, devise means to give adequate protection to the life and property of that gentleman who is at present in the most unenviable condition of being a most helpless resident and a most ordinary citizen of one of the districts of these provinces. I do not want to point out the great sensation which that petition has created throughout the length and breadth of this country; those who have read the papers know that throughout India that petition has caused a wave of sensation and people are anxious to know why it is that the Police department do not protect the life and honour of the gentleman. His Highness the Maharaja Sahib of Nabha in the course of the petition, writes that his very life and honour are at stake. He is constantly in dread, and he fears that at the present time his life and honour and the life of his wife and his children, including the Tikka Sahib, the future Maharaja Sahib of Nabha, are in great danger, and I want to ask why during the last 29 days, during which the petition has been before the district authorities, no action has been taken. Not only that, I understand even the petition has not been acknowledged. So I would request the Inspector-General to take up this matter; and while other members are pointing to the sins of commission of the Criminal Investigation department, I am pointing only to a sin of omission, if I may so call it.

Before I resume my seat I would tell him that so great is the sensation in certain parts of the country, caused by that petition, that in Amritsar about one thousand Akalis are prepared to come to Dehra Dun to protect the life of the Maharaja Sahib in case of need. I do not know if those fears are justified, but the Akalis are men whom the Government know are persons of a very manly and resolute determination; if they come to Dehra Dun, and if some untoward happening takes place between those brave Akalis and these prowling and unknown spies whose real identities are supposed to be as agents of the Maharaja of Patiala. . . .

**The Hon'ble the President:** The honourable member should not have mentioned this in the course of this debate.

**Thakur Manjit Singh Rathor:** I was particularly anxious to avoid saying who actually these men are. I am absolutely unaware who those agents actually are, those people may even be the agents of the Criminal Investigation department for aught I know, because the activities of the Criminal Investigation department are so inscrutable.

**The Hon'ble the President:** Then the honourable member should not have drawn the Maharaja of Patiala into the discussion.

**Thakur Manjit Singh Rathor:** I am sorry for that. I wanted to say that the activities of those persons who prowl about; whose real identities are unknown, but who are suspected to be the agents of the enemy of the gentleman in question, should be taken in hand by the Criminal Investigation department, and the Criminal Investigation department will be doing a real piece of work if they protected this gentleman.

With these few observations I support the motion before the House.



Sri Ganesh Shankar Vidyarthi :

प्रेसीडेन्ट साहब

मुझे अपने सम्बन्ध में कुछ कहने की जरूरत नहीं मालूम होती, सामने को बेंचेज के जो साहबान हैं, वे मेरे सम्बन्ध में अच्छी तरह जानते हैं। जो shadowing (निगरानी) मेरे मुताब्बिक होती है, उसके लिये मैं शिकायत करने का तयार नहीं हूँ। इस लिये कि सी० आई० डी० डिपार्टमेंट की जो चालें हैं वे सब को मालूम हैं, और मेरे वालदेन की जो बूढ़ें हैं कम से कम यह संतोष तो है ही कि इस निगरानी से उन का लड़का कहीं खो न जायगा लेकिन, कुछ बातें सी० आई० डी० की ऐसी ridiculous (हास्यास्पद) हैं कि उनकी तरफ़ से उस डिपार्टमेंट के हेड और इस House का ध्यान दिलाना आवश्यक समझता हूँ। मैं दो बातें आपके सामने रखना चाहता हूँ। वे पोलिटिकल मामलात में सम्बन्ध रखती हैं। अभी हाल में, हमारी कानपुर कांग्रेस कमेटी का कांग्रेस बंद उरई गया था। इस पर सी० आई० डी० की यह सूझी कि उसमें पुलिस को इत्तिला दो और इस की वजह से shadowing उरई गई। जब तक वे लोग वहां ठहरे रहे, वे बराबर (निगरानी) में रहे, और आर्म्ड पुलिस (Armed police) वहां मौजूद रहे वहां क्या वे लोग Conspiracy (पड़यन्त्र) कर रहे थे? क्या वे वहां जा कर उरई को Bombard (उड़ा देने वाले) करने वाले थे? क्या वे उरई को लूटने वाले थे? क्या बातें ऐसी थीं? हम यहाँ देखते हैं कि यह बात कैसी Ridiculous (हास्यास्पद) थी? अब एक और वाक्या इस वक्त मेरी नजर के सामने है। मैनपुरी कान्स प्रेसो केस में गेंदालाल एक Accused (अभियुक्त) थे। वे लापता हो गये थे। उनका देहान्त उनका (अन्तकाल) देहली के अस्पताल में हो गया था वे Consumptive (क्षयरोग ग्रस्त) थे, और इसी मर्ज़ में वे मरे, इस को बहुत से आदमी जानते हैं इस का हाल 'प्रभा' नाम की पत्रिका में निकला था। मेरे पत्र 'प्रताप' में भी निकला था मैं दावे के साथ कह सकता हूँ कि पुलिस को भी इन वाक्यात का पता था, सी० आई० डी० के आदमी खास तौर से, इस वाक्या के जानने के लिये 'प्रभा' की कई कापियाँ खरीद कर ले गये थे लेकिन फिर भी हालत यह है मुझे यह मालूम नहीं कि कानून क्या है और ऐसी हालत में होता क्या है लेकिन इस मामले में होता यह है कि उन गेंदालाल के घर पर एक वारंट पहुंचा करता है। घर के जितने आदमी हैं उनसे कहा जाता है कि कहाँ हैं। गेंदालाल? उनको पुलिस तंग करती है, उनको धमकाया जाता है। यह बात अखबारों में निकल चुकी है अब इस मामले में इन्स्पेक्टर जनरल क्या फरमाते हैं? यह प ऐसी बात है जिस की तरफ़ डिपार्टमेंट के Head (हेड) का ध्यान देना चाहिए, सी० आई० डी० के अफसरान की ध्यान देना चाहिए। यह ऐसा वाक्या है कि जो लोग पोलिटिकल कामों की History को (इतिहास) पढ़ेंगे, और हमारे आदमियों के पोलिटिकल जीवन पर निगाह डालेंगे उन्हें मालूम होगा कि पुलिस और सी० आई० डी० के अत्याचार से हम लोग कैसे तंग होते हैं। जो लोग कि Revolutionaries क्रांतिकारों हैं, वे तो जानते हैं कि जो कुछ हमें होगा उसको हमें परवाह नहीं। इसके साथ ही जो खुली Political Activities राज-नैतिक (आन्दोलनों) में हिस्सा लेते हैं, वे भी मैं, कहूँ कि सी० आई० डी० की

[Sri Ganesh Shankar Vidyarthi.]

परवाह नहीं करते। वे अपनी पीठ की इतनी मजबूत समझते हैं कि पुलिस के प्रहारों का सहलें। लेकिन सी० आई० डी० की इन ridiculous हरकात पर उन्हें तरस आता है। मैं आप का ध्यान इसी तरह के और दूसरे वाक्यात पर दिलाता हूँ। मैं पूछता हूँ कि आपका ध्यान उस तरफ क्यों नहीं जाता? जब पुलिस को ज्यादाती देहातों और शहरों में हुआ करती है, तब आप तो सी० आई० डी० का ध्यान उस तरफ क्यों नहीं जाता, वह सिर्फ पोलिटिकल आन्दोलन political activities ही की तरफ क्यों रहता है? मैं मानता हूँ कि डाका डालने वालों को भी सजा दिलाई जाती है लेकिन जब पुलिस में भी बदमाश हैं, और वे बदमाशी करते हैं, रिश्वत लेते हैं, लोगों को मारते हैं, पीटते हैं, और दुख देते हैं, तो उन की तरफ सी० आई० डी० का ध्यान क्यों नहीं जाता,? होम मेम्बर भी इस बात को देखें। एक नहीं, दो नहीं, मैं सैकड़ों मिसालें ज्यादाती की उन के सामने पेश कर सकता हूँ। मैं journalist (पत्रकार) हूँ। मुझ को वाक्यात के दरियाफ्त करने का मौका मिलता है। यह तो वे भी जानते हैं कि बहुत ऐसे वाक्यात हैं जिन में पुलिस ज्यादातियां करती हैं। ऐसी हालत में भी कभी उन का सी० आई० डी० का पुलिस की इन काररवाइयों पर ध्यान नहीं जाता वे-गुनाहों पर ध्यान जाता है, और जो लोग डाका डालने वाले हैं और जो लोग क्रांतिल हैं उन के ऊपर भी जाता है, लेकिन political activities को छोड़ कर और क्रांतियों और डाकुओं को छोड़ कर और पोलिटिकल काम करने वाले और डाकू और हत्यारे तो एक साथ bracket (रख) कर दिये गये हैं। इन लोगों का ध्यान कभी पुलिस की बे-उनवानियों की तरफ नहीं जाता। मैंने अक्सर पुलिस वालों और सी० आई० डी० वालों से बात चीत की है। जब हम उन से कहते हैं कि पुलिस अत्याचार करती है, रिश्वत लेती है, तब वे कहते हैं कि यह पुलिस तुम्हारे ही आदमियों से तो बनी हुई है। जो अंगरेज साहबान सामने बैठे हुए हैं, मैं उनसे पूछता हूँ कि अगर इंग्लैंड पर हमारा शासन हो, तो क्या हम इसी तरह अंगरेजों पर अंगरेजों ही से अत्याचार नहीं करा सकते? आप यह कह कर ज़िम्मेदारी से भाग नहीं सकते। आप अपनी ज़िम्मेदारी का इयाल कीजिये यह भी कहा जाता है कि लोग बहुत ignorant (कम समझ) हैं, वे शिकायत नहीं करते, जो रिश्वतें दी जाती हैं, जो अत्याचार होता है, उन की शिकायतें आपके कानों तक नहीं पहुँचती! अगर एक अंधे आदमी की १०००) ६० की थैली उसके पास पड़ी हो, और कोई चोर-बदमाश उसको उड़ा दे, तो जो लोग (law and order) (न्याय और शान्ति) के maintenance (रक्षा) करने वाले हैं, क्या वे अंधे के संवेपन की वजह से उस चोरी के ज़िम्मेदार नहीं हैं? अगर वे यह कहें कि हम इस के ज़िम्मेदार नहीं हैं तो बेजा है। मैं आप को ध्यान दिलाना चाहता हूँ कि political activities वालों की तरफ आप को जो बहुत ज्यादा मिहरबानी है, वह बेजा है। मेहरबानी कर के आप पुलिस की बे-उनवानियों की तरफ ध्यान दीजिये क्योंकि जैसा corrupt (म्रष्ट) और मद्रा और सराव महकमा पुलिस का है, शायद ही गवर्नमेन्ट का कोई department वैसा हो!

**Mr. C. Y. Chintamani:** I have only one small contribution to make to this discussion. You, Sir, told the honourable member for Cawnpore that Rai Sita Ram Bahadur referred only in a humorous way to the Criminal Investigation department in one of his Council speeches.

**The Hon'ble the President:** He might have referred. But Rai Sita Ram is not here.

**Mr. C. Y. Chintamani:** I will refer to one incident, not in a humorous but in a serious way. I am going to tell one story from real life as an illustration of the correctness and the veracity of some of the police reports which Government get against public men. In the year 1920 I happened to be in the district of Jhansi as a candidate for the Legislative Council, a candidature which at that time was watched with more sympathy by honourable members opposite than I can claim for any more recent candidatures. In the course of my electioneering campaign I happened to go to a village of the name of Barua Sagar. I did my work and left. I might bring it to the notice of the Council that several redoubtable leaders of the non-co-operation movement were then carrying on a propaganda in the country for the boycott of the Councils, and at that time my most formidable opponent in that district was the present member for Jhansi. What, then, was my surprise when a little while later I found a report from the district of Jhansi stating that I had gone to Barua Sagar in order to establish a non-co-operation society. The report was forwarded, as I subsequently ascertained, by the superintendent of police. When I paid my next visit to Barua Sagar, and in a capacity approved by the benches opposite, I inquired from the sub-inspector whether he had made any report, and, after a summary denial, he admitted that he was the author of that report. I asked him where he had got that information from, that I had been trying to establish a non-co-operation society. His reply, if candid, was apologetic. He said: "You were here. You were known as an agitator and in these days the agitation is non-co-operation. It was my duty to make a report about your visit; and, having found no other material, I made up this report."

I then had the honour of meeting the superintendent of police and the district magistrate. I inquired from the superintendent of police whether he had forwarded that report about me. He said "Yes." I asked him whether he had made any effort to ascertain the truth, or even the possibility, of that report. He said "No. I am a busy man. I merely forward these reports which I get from my subordinates." And when honourable members opposite, particularly the Hon'ble the Finance Member, with a vigour all his own, stand up for the necessity of a large supervising staff in the interests of efficiency, he will kindly make some room in his mind for this incident that the superintendent of police said that he had no time to check such reports and that he merely forwarded them. I mention this as a small illustration of the possibilities—I might even say the unsuspected possibilities—that lurk behind the very name of the Criminal Investigation department.

One more word, and I will stop. That word is to make a present of a passage to the Hon'ble the Home Member. In the year 1917 I moved in the Council a budget motion for a reduction of one lakh of rupees in the expenditure upon the Police department. In the reply which was given to me the Hon'ble Mr. Marris, inspector-general of police, said:

"He has not suggested where this one lakh will come from."

[Mr. C. Y. Chintamani.]

Replying to him, in order to meet that objection, the Hon'ble Pandit Jagat Narayan made a speech of thoroughly characteristic brevity and force in order to satisfy the then inspector-general of police, and I am sure the Hon'ble the Home Member will be deeply interested to know what the Hon'ble Pandit Jagat Narayan, who certainly is not distrusted or disfavoured by the Government, thought of the Criminal Investigation department, its methods and activities. He said:

"I have only to say one word. The stupid, foolish and offensive way in which some of the members of the Criminal Investigation department discharge their duties is a very sufficient ground for reducing the expenditure on that department and therefore to meet the objection of the Inspector-General my submission is that at least half of that force should be dismissed. It will do good to the public, and it will do good to the Government and it will also save money which is being expended on them."

I have nothing to add.

**Mr. R. J. S. Dodd:** I have very little to say. As regards the last remarks of the honourable member for Partabgarh, I have to point out that the statement must be about ten years old, and we have had re-organization in the Criminal Investigation department since then, i.e., three years ago. It is about ten years since our present Governor left the post of the inspector-general. As regards the remarks made by the honourable member for Cawnpore that a distinguished judge of the Chief Court was watched for his political activities, and the remarks made by the honourable member for Dehra Dun, when he asked what had been done to protect the Maharaja of Nabha. I want, first of all to make it perfectly clear that the Criminal Investigation department watches nobody for his political activities.

**Babu Shyam Lal:** He was watched when he was not a judge. Now he is a judge.

**Mr. R. J. S. Dodd:** My point is this that no man is watched for his political activities and if any member of this House thinks that he is being watched for his political activities, as I stated last year, and as my predecessor stated the year before last, he should only let me know and we will look into it. The other incident referred to by the honourable member for Partabgarh is very ancient history. The people concerned had nothing to do with the Criminal Investigation department. The sub-inspector was not in the Criminal Investigation department, and the superintendent of police was not in the Criminal Investigation department. He did not continue his story and say what happened to the superintendent.

As regards the Maharaja of Nabha, whose case has been mentioned, I have seen more about this in a certain newspaper than anywhere else, but I understand that he is in no danger whatever. Beyond that, I have no information. All I can say is that if brought to my notice separately I shall look into the matter. The honourable member for Cawnpore has made a reference to certain activities of the Criminal Investigation department. I am afraid my knowledge of the vernacular is hardly sufficient to follow the accelerated portion of his speech. All I could gather was that he made a complaint, among others, of certain persons being followed to Orai, because it was suspected that they were going to commit a dacoity. If I am wrong I may be corrected, but I think I remember that incident. I am giving nothing away when I tell the

honourable members of this House what I do remember. I think we received information, anonymous or of some other kind, some time ago, that there might be a dacoity, and that certain people might be concerned. Now on receipt of that information I thought it necessary to take steps to prevent that dacoity. I thought the information was sufficiently reliable; it was there, and could not be ignored. If anything had happened, and if we had taken no action on our information, we would have looked extremely foolish. Now this is where a deputy inspector-general in the Criminal Investigation department comes in. He said, as far as I recollect, after examining this information: "That he personally did not think that it was worth attention." I overruled him; I said that action would have to be taken to prevent a dacoity. This instance is rather in favour of the retention of an expert officer like the deputy inspector-general, for if inconvenience were caused he was not responsible.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** At this late hour of the day I wish to say only a few words. First of all, I beg to congratulate the honourable mover, Babu Kavendra Narayan Singh, for his maiden speech and for the moderate way in which he expressed himself. His suggestions will receive our consideration.

The next point on which I wish to say a few words is that our attention was drawn by the honourable member for Cawnpore towards the Criminal Investigation department. I beg to submit that it is not the duty of the Criminal Investigation department, and the Criminal Investigation department is not required to shadow anybody for his political activities. After all, even though I differ from the political views of some of our friends opposite, I am a great believer in the fact that criticism and political controversy always help in raising the standard of administration, and therefore I do not think there is any cause why anybody should be followed because he holds a different political view. I beg to assure the honourable members of this House that if any case will be brought to the notice of the Inspector-General, as he just said or to my notice that anybody is being troubled by the Criminal Investigation department for holding certain political views we will look into the matter. Of course, there are black sheep in every fold, and some of our Criminal Investigation department men may be bad fellows. Government cannot be held responsible for the fault of a few in the Criminal Investigation department cadre; but, as soon as any concrete example will be brought to the notice of the Inspector-General, I am sure he will take necessary measures and try to rectify the mistake done.

**Babu Bhagwati Sahai Bedar :** I wish to put a question to the Hon'ble the Home Member. Will the Hon'ble the Home Member kindly state if there is a provincial list maintained by the Criminal Investigation department in which the names of political suspects are entered and whenever they go from one station to another telegrams follow them with their numbers?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not at all aware of all these details, whether they have a list and what they do with it.

**Babu Bhagwati Sahai Bedar :** I want to ask the Hon'ble the Home Member . . .

**The Hon'ble the President :** The honourable member wanted to put a question. The question was put and an answer has been given.

**Babu Bhagwati Sahai Bedar :** May I put another question, Sir ?

**The Hon'ble the President :** Yes, if it is necessary to elucidate the matter further.

**Babu Bhagwati Sahai Bedar :** Will the Hon'ble the Home Member kindly inquire from the Inspector-General of Police ?

**The Hon'ble the President :** This question is not necessary to throw further light on the matter under debate.

**Babu Bhagwati Sahai Bedar :** Then I may be allowed to say something.

**Khan Bahadur Mr. Jafar Husain :** I move for closure.

*The Hon'ble the President adjourned the Council until the following day.*

## APPENDIX A.

(See page 354 *supra*.)

*Statement referred to in answer to starred question No. 12 for  
March 14, 1927.*

Appointment department deals with—

Appointments ... ..	} Of the gazetted officers of the Revenue, Judicial and Police departments, i.e., I. C. S., I. P. S., U. P. C. S. (executive and judicial), and U. P. Police service.
Transfers ... ..	
Postings ... ..	
Promotions ... ..	
Leave of all kinds ... ..	
Salaries and allowances (including travelling allowance) ... ..	
Joining time ... ..	
Conduct and discipline ... ..	
Dismissals and suspensions ... ..	
Retention and retirements ... ..	
Death reports of European officers ... ..	

Competitive examinations for the I. C. S., I. P. S., and for deputy collectors

Departmental examination of junior officers.

Indexing of the *United Provinces Gazette* (parts I and II and V to VIII).

Civil list and distribution of history of services.

Naib-tahsildars (direct appointments).

Tahsildars (ditto).

Training class for junior officers at Moradabad.

Political probationers.

General service questions or matters generally affecting all-India, provincial and subordinate services in the province, e.g., rules under Government of India Act about classification, conduct, discipline, appeals, etc. The Appointment department, an expert department on service questions and service rules, advise other departments on questions referred to them for such advice.

The strength of the Appointment department is—

Superintendent ... ..	...	...	1
Superior service assistants ... ..	...	...	6
Subordinate service assistants ... ..	...	...	4
Peons ... ..	...	...	2

The total actual cost is Rs. 2,619 per mensem, or Rs. 31,428 per annum.

## APPENDIX B.

*(See page 359 supra.)*

*Copy of the order referred to in part (f) of the answer to starred question No. 28 of March 14, 1927.*

Miss Monks, Inspectress of Girls' Schools, reached Kulpahar in the afternoon of November 8 intending to visit Rath. Lorries due to leave the following morning could have taken her, but the rapacity of the drivers, who tried to exact exorbitant hire, was too much and she had to give up her official visit to Rath. It appears that Gayasi Dattri, manager of the Motor Transport Company, Kulpahar, met her at the platform and demanded Rs. 30 for the trip to Rath instead of reserving her accommodation for six passengers, as she desired. One Jumna driver, is also said to have asked the same exorbitant amount. The teachers, Baqar Ali and Chaturbhuj, were asked by Miss Monks to mediate and make reasonable arrangement, but they failed. Gayasi's explanation is that, firstly, he had no accommodation in the morning lorry to take Miss Monks; and, secondly, that Miss Monks said that she preferred to go by bullock-cart. As to point No. 1, I cannot, for a minute, believe that all accommodation was already booked for the morning lorry by the preceding afternoon, when Gayasi spoke to Miss Monks. As to point No. 2, it is absurd that Miss Monks should desire to proceed by bullock-cart when a lorry was available. The fact is that Gayasi tried to take Miss Monks at a disadvantage and enforce his own illegal and exorbitant terms. Kulpahar to Rath fare is Rs. 2 per head. For six persons it would be Rs. 12. Instead of accepting Rs. 12 he demanded Rs. 30. Such high-handedness cannot be overlooked. I suspend his licence for six months.

Jumna, driver, will be asked to show cause why he likewise demanded Rs. 60 from Miss Monks and why his lorry should also not be stopped from plying.

The teachers, Baqar Ali and Chaturbhuj, made matters worse by their meddlesomeness and should take warning for the future.

Shankar had no business to play the tout when he had no lorry running. He will be warned.

The tahsildar should further take the explanation of all lorry-owners and managers why their permits should not be cancelled, as their lorries are not plying in accordance with their representations but as a fleet for one company.

CAMP KHANNA:

December 8, 1926.

S. S. NEHRU, I.C.S.,

District Magistrate.



## APPENDIX C.

(See page 364 *supra*.)

*Copy of circular letter No. 918/IX—348, dated November 5, 1926, from SIR IVO ELLIOTT, BART., I.C.S., M.L.C., Secretary to Government, United Provinces, Local Self-Government department, to all Commissioners of divisions, United Provinces.*

AT the time of the last General Elections to the Legislative Council reports reached the Government that local bodies in certain districts were ordering, or were using official pressure to induce, their subordinates to canvass in favour of certain candidates. In one case in which a petition was filed by the unsuccessful candidate questioning the validity of the election the commissioners held that the employment of executive officials of municipal boards for canvassing amounted to undue influence, and expressed the view that, as in the case of Government servants, municipal and district board officials should be prohibited from taking any part in elections to the Council, except that they should record their votes if entitled to do so.

2. It is desirable to bring to the notice of district and municipal boards that their authority under the District Boards and Municipalities Acts does not extend to ordering, or in any manner compelling, their servants to take any action outside the scope of their official duties. Any compulsion of district board and municipal servants to canvass in the elections would therefore be *ultra vires* and would, in the eyes of the Government, constitute a distinct abuse of the powers conferred by the District Boards and Municipalities Acts. And if after this intimation of Government's view of the legal situation it should be established that the chairman or member of any board had been constraining the servants of the board to canvass for the Legislative Council elections it might become necessary for the Government to consider the exercise of the powers conferred upon them by sub-section (2) of section 31 of the District Boards Act and by sub-section (3) of section 40 of the Municipalities Act.

3. I am directed to request that the views of the Government in this matter may be communicated to the district and municipal boards of your division.

## APPENDIX D.

(See page 366 *supra*.)

*Statement referred to in answer to starred question No. 65 for March 14, 1927.*

<i>District.</i>		<i>Number of masonry walls available.</i>	<i>Number of non-masonry walls available.</i>
Bareilly	..	2,496	24,978
Badam	..	9,863	27,904

## APPENDIX E.

(See page 387 *supra*.)*Statement referred to in the answer to unstarred question No. 1 for the Council meeting of March 14 1927.*

No. of Bill	Name of officer.	Purpose.	Duration.	Place.	Cost.
1	2	8	4	5	6
1	Mr. H. S. Ross, I.C.S.	To enable the revision of the Court of Wards Manual to be completed.	From December 30, 1926 to January 1, 1927.	Board's office, Allahabad..	Rs 965
2	Mr. A. B. Reid, I.C.S.	In connexion with the compilation of a report on Agriculture in the United Provinces for the Royal Commission on Indian Agriculture.	From May 15, 1926 to July 30, 1927.	Headquarters of Government, Naini Tal.	5,475
3	Mr. E. L. Norton, I.C.S.	To revise the rule regarding the various provincial and subordinate services in connexion with the Civil Services (Governor's Provinces) Delegation Rules, 1926.	From September 8 to 30, 1926.	Civil Secretariat, Naini Tal.	2,089
4	Mr. H. J. Frampton, I.C.S.	To write the General Administration Report.	From January 4, 1927 to March 9, 1927.	Government headquarters, Lucknow.	3,153
5	Mr. R. F. Mudie, O.B.E., I.C.S.	Both these officers were placed on special duty in connexion with the following Bills :— (1) Agra Tenancy Bill, (2) Settlement Bill, (3) United Provinces Land Revenue (8th Amendment) Bill, and (4) the Oudh Rent (Amendment) Bill.	From April 19 to October 8, 1926.	Civil Secretariat at Naini Tal.	11,471
6	Mr. M. F. P. Herchenroder, I.C.S.		From March 20 to August 15, 1926.	Civil Secretariat at Lucknow and Naini Tal.	10,261

7	Mr. H. Willcocks, I.S.M. ..	In connexion with the revision of the Irrigation Manual of Orders, United Provinces and the Handbook of Professional Orders.	From November 4, 1926 to March 7, 1927.	Public Works Department Secretariat at Lucknow.	5,406 (approximately).
8	Mr. F. F. R. Channer, O.B.E., I.F.S.	In connexion with the revision of rules regarding recruitment to, and pay and conditions of, the Provincial and Subordinate Forest services.	From October 21 to November 12, 1926.	Lucknow ..	1,756
9	Lieut.-Col. G. Hutcheson, I.M.S.	In connexion with the Leprosy dispensaries scheme.	From December 20, 1926 to January 17, 1927.	Ditto ..	2,105
10	Mr. R. N. Marsh-Smith, I.P.S.	To examine traffic control and to prepare a case for the committee appointed to revise the United Provinces Motor Vehicles Rules, 1924.	From October 24 to November 23, 1926.	Ditto ..	1,483
11	Mr. P. H. J. Measures, I.P.S.	To complete the Police Regulations and the Police Manual.	From November 19, 1926 to January 31, 1927.	Inspector-General of Police's office, Allahabad.	1,630
12	Mr. G. A. Pearce, I.P.S. ..	In connexion with the special dacoity police operations in the United Provinces.	From December 10, 1926 to December 4, 1927.	Roorkee, Saharanpur ..	15,938
13	Rai Sahib Babu Durga Prasad, Deputy Superintendent of Police.	In connexion with the Kakori train dacoity and conspiracy case.	From July 17, 1926 to March 31, 1927.	Lucknow ..	4,064
14	Mr. H. R. Harrop, I.P.S. ..	In connexion with the United Provinces District Boards Primary Education Act, 1926.	From March 25, 1926 to September 30, 1926.	Allahabad ..	4,381
15	Munshi Kulwant Rai, Assistant Inspector of Schools.	For inspection of the working of the scheme of compulsory primary education in municipalities.	From November 23, 1926 to April 23, 1927.	Ditto ..	3,798

(Officers deputed to the Kumbh Mela at Hardwar are omitted.)



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Tuesday, March 15, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 A.M.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT :

(100)

The Hon'ble Sir Sam O'Donnell.	Raja Sri Krishna Dutt Dube.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Thakur Shiva Shankar Singh.
The Hon'ble Rai Rajeshwar Bali.	Rai Bahadur Thakur Hanuman Singh.
The Hon'ble Thakur Rajendra Singh.	Rai Bahadur Babu Abhinandan Prasad.
The Hon'ble Nawab Muhammad Yusuf.	Bhaya Hanumat Prasad Singh.
Mr. G. B. Lambert.	Pandit Govind Ballabh Pant.
Mr. E. A. H. Blunt.	Pandit Badri Dutt Pande.
Kunwar Jagdish Prasad.	Mr. Mukandi Lal.
Sir Ivo Elliott.	Sirdar Nihal Singh.
Mr. P. H. Tillard.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. H. A. Lane.	Raja Bahadur Dishwanath Saran Singh.
Mr. R. L. Yorke.	Rai Bahadur Babu Mohan Lal.
Mr. A. W. Pim.	Rai Bahadur Pandit Sankata Prasad Bajpai.
Mr. A. W. McNair.	Kunwar Surendra Pratap Sahi.
Khan Bahadur Chaudhri Wajid Husain.	Mr. G. Y. Chintamani.
Mr. E. L. Norton.	Mr. Zahur Ahmad.
Mr. F. F. R. Channer.	Haji Abdul Qayum.
Mr. R. J. S. Dodd.	Mr. Muhammad Abdul Bari.
Colonel G. Tate.	Maulvi Zahur-ud-din.
Mr. A. H. Mackenzie.	Saiyid Tufail Ahmad.
Mr. G. Clarke.	Khan Bahadur Shaikh Zia-ul-Haq.
Mirza Muhammad Sajjad Ali Khan.	Lieut. Nawab Jamshed Ali Khan.
Khan Bahadur Mr. Masud-ul-Hasan.	Nawabzada Muhammad Liaqat Ali Khan.
Mr. E. Ahmad Shah.	Lieut. Khan Bahadur Nawazada Abdus Sami Khan.
Babu Ram Charana.	Maulvi Muhammad Obaid-ur-Rahman Khan.
Shri Ganesh Shankar Vidarthi.	Shaikh Abdullah.
Pandit Rahas Bihari Tiwari.	Khan Bahadur Hafiz Hidayat Husain.
Babu Sampurnanand.	Maulvi Saiyid Habib-ullah.
Rai Bahadur Lala Shyam Sundar Lal.	Shaikh Ghulam Husain.
Babu Bhagwati Sahai Bedar.	Dr. Shafa'at Ahmad Khan.
Thakur Manjit Singh Rathor.	Khan Bahadur Saiyid Jafar Husain.
Chaudhri Vijai Pal Singh.	Khan Bahadur Shaikh Saiyid Muhammad, alias Maiku Mian.
Pandit Nanak Chand.	Khan Bahadur Hakim Mahbub Ali Khan.
Thakur Pratap Bhan Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Thakur Bikram Singh.	Khwaja Khalil Ahmad Shah.
Thakur Hukam Singh.	Shaikh Muhammad Habib-ullah.
Raja Kushal Pal Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Rao Krishna Pal Singh.	Chaudhri Niamat-ullah.
Lieut. Raja Kali Charan Misra.	Mr. Muhammad Habib.
Lala Nemi Saran.	Mr. St. George H. S. Jackson.
Chaudhri Badan Singh.	Rai Bahadur Munshi Ambe Prasad.
Rao Sahib Kunwar Sardar Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Thakur Sadho Singh.	Kunwar Bisheshwar Dayal Seth.
Pandit Brijnandan Prasad Misra.	Raja Jagannath Bakhs Singh.
Pandit Bhagwat Narayan Bhargava.	Mr. E. M. Souter.
Lieut. Raja Durga Narayan Singh.	Mr. J. P. Srivastava.
Pandit Deota Prasad.	Rai Bahadur Babu Vikramajit Singh.
Babu Shyam Lal.	Pandit Iqbal Narayan Gurtu.
Babu Uma Shankar.	
Pandit Venkatesh Narayan Tiwari.	
Babu Kavendra Narayan Singh.	
Pandit Shri Sadasayatan Pande.	

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## SURVEY AND SETTLEMENT OPERATIONS.

\* 1. **Rai Bahadur Lala Mathura Prasad Mehrotra** : Will the Government be pleased to state if the resolution adopted by the last Council regarding the non-payment of the cost of coolies by the zamindars in survey and settlement operations has been given effect to.

**The Hon'ble Sir Sam O'Donnell** : Yes.

## REGISTRAR, CO-OPERATIVE SOCIETIES.

\* 2. **Rai Bahadur Lala Mathura Prasad Mehrotra** : (a) Has the Hon'ble Minister of Agriculture accepted the recommendations of the Oakden Committee regarding the qualifications of the Registrar, Co-operative Societies, set forth therein?

(b) If so, was the recent appointment made in conformity with them?

(c) If the reply to part (a) is in the negative, what criterion has the Hon'ble Minister substituted for the recommendations of the committee on this point?

**The Hon'ble Thakur Rajendra Singh** : (a) The honourable member is referred to paragraph 15 of resolution No. 133/XII-B—20, dated September 16, 1926.

(b) Yes.

(c) Does not arise.

\* 2. **Rai Bahadur Lala Mathura Prasad Mehrotra** : Will the Hon'ble Minister be pleased to state the previous experience and training of the present incumbent as recommended by the Oakden Committee.

**The Hon'ble Thakur Rajendra Singh** : No previous training was required.

**Pandit Nanak Chand** : Had he any experience?

**The Hon'ble Thakur Rajendra Singh** : As Collector he must have had.

**Mr. C. Y. Chintamani** : Has the recommendation of the Oakden Committee been rejected by Government?

**The Hon'ble Thakur Rajendra Singh** : No.

**Mr. C. Y. Chintamani** : [Postponed at the request of Government, 10, 1927.]

## STORES PURCHASE DEPARTMENT.

\* 4. **Mr. C. Y. Chintamani** : Will the Hon'ble Minister for Agriculture and Industries lay on the table copies of the annual reports on the operations of the Stores Purchase Branch of the Industries department from 1922 to 1926, together with copies of the Government's observations thereon?

**The Hon'ble Thakur Rajendra Singh :** Since 1924 Government have not called for a separate report. The Director of Industries includes in his annual report observations on the working of the department. Copies of the separate reports for 1922-23 and 1923-24 are laid on the honourable member's table. Government review the working of this department when reviewing the report on industries.

**\* 5. Mr. C. Y. Chintamani :** Will the Hon'ble Minister be pleased to lay on the table copies of the order of Government constituting this branch and of all subsequent orders relating to its scope and functions?

**The Hon'ble Thakur Rajendra Singh :** Government are examining the various orders which have been issued to see which of them can be laid on the table.

**Mr. C. Y. Chintamani :** Will the Hon'ble Minister consider the advisability of re-introducing the practice of issuing separate annual reports?

**The Hon'ble Thakur Rajendra Singh :** We will consider it.

**Mr. C. Y. Chintamani :** Within what time do Government expect to decide which orders can be placed on the table? I refer to question No. 5.

**The Hon'ble Thakur Rajendra Singh :** As soon as they have been examined.

**\* 6. Mr. C. Y. Chintamani :** (a) In respect of what classes of articles and in relation to what departments have imported goods been replaced by Indian (i) manufactured in these provinces; (ii) or in Indian States, in each of the years since 1922?

(b) To what extent has such substitution taken place in respect of (i) quantity and (ii) value?

(c) What was the cost of such purchases of imported goods and what is it in the case of the Indian articles which have replaced them?

(d) What is the net saving to the tax-payer after deduction of the cost of staff and establishment?

**The Hon'ble Thakur Rajendra Singh :** (a), (b), (c) & (d) A statement is laid on the honourable member's table. The figures of quantity are not available, nor are the figures of cost of the imported articles which have now been replaced by articles of Indian make. It is, therefore, not possible to determine the exact savings effected by the Stores Purchase Department. However, a statement showing specific cases where savings were effected by the Stores Purchase department is laid on the honourable member's table.

*(See Appendix A, page 507.)*

**\* 7. Mr. C. Y. Chintamani :** What is the value and what are the classes of goods imported from abroad, and of goods produced in India (i) in these provinces and (ii) in other provinces and in Indian States, purchased by this Government?

**The Hon'ble Thakur Rajendra Singh :** The value of the goods purchased through the High Commissioner in 1925 was £ 10,959. The main classes of such goods were engineering plant, workshop machinery, and

heavy tools, scientific instruments, and electric plants. The value of goods produced in India bought by Government in 1925-26 is 18·27 lakhs. A statement showing the classes and values of goods (in round figures) manufactured in India, and which were purchased through the Stores Purchase department in 1925-26, is laid on the honourable member's table.

(See Appendix B, page 509.)

\* 8. **Mr. C. Y. Chintamani :** (a) Have the Government under consideration an extension of the scope of Stores Purchase Branch of the Industries department so as to increase purchases in India in the place of imported goods?

(b) If "no," why not? If "yes," will the Government be pleased to give particulars of the matters under consideration?

**The Hon'ble Thakur Rajendra Singh :** (a) & (b) Government have under consideration new rules which they hope will make the activities of the Stores Purchase branch more effective.

#### PURCHASE OF TYPEWRITERS.

\* 9. **Mr. C. Y. Chintamani :** (a) Through what agency are typewriters for Government offices purchased?

(b) What was the number and what was the value of such purchases in each of the last three years?

**The Hon'ble Thakur Rajendra Singh :** (a) Through the Central Stationery and Stamp office, Calcutta.

					Number of typewriters purchased.	Value.
						Rs.
(b) 1923-24	..	..	..	..	116	33,947
1924-25	..	..	..	..	89	30,852
1925-26	..	..	..	..	112	35,555

**Mr. C. Y. Chintamani :** Will the Hon'ble Minister consider the advisability of entrusting these purchases to the Stores Purchase department?

**The Hon'ble Thakur Rajendra Singh :** The matter will be considered.

#### CO-ORDINATION BETWEEN JAIL AND INDUSTRIES DEPARTMENTS.

\* 10. **Mr. C. Y. Chintamani :** Will the Government be pleased to state what arrangements are in force to secure co-ordination between the departments of Jail and Industries in respect of jail manufactures?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Jails department purchases raw materials for its manufactures through the Stores Purchase officer, and the latter places orders with that department for the supply of the finished products to other Government departments. The Jails department has also received valuable assistance from the technical expert in the Industries department in the improvement of manufacturing methods.

\* 11. **Mr. C. Y. Chintamani :** [Postponed at the request of Government till March 30, 1927.]



AUDIT OF ACCOUNTS OF SCHOOLS UNDER INDUSTRIES DEPARTMENT.

\* 12. **Mr. C. Y. Chintamani** : Are the accounts of the schools under the Department of Industries audited ? By whom ?

**The Hon'ble Thakur Rajendra Singh** : Accounts of Government schools under the department of Industries are audited by the office of the Director of Audit.

EMBEZZLEMENTS IN CENTRAL WEAVING SCHOOL, BENARES.

\* 13. **Mr. C. Y. Chintamani** : (a) Have any defalcations or embezzlements been discovered in the Central Weaving School at Benares, or have any sums been found unaccounted for ?

(b) By whom were they found and when, and what are they ? Will the Government be pleased to give full particulars thereof ?

(c) What action have the Government taken or do they propose to take in connexion therewith ?

**The Hon'ble Thakur Rajendra Singh** : As the inquiry into the accounts of the Central Weaving School at Benares is not yet complete Government regret that they are not in a position at present to give the honourable member the information which he requires.

PRINCIPAL, TECHNOLOGICAL INSTITUTE.

\* 14. **Mr. C. Y. Chintamani** : (a) What procedure do the Government intend to adopt in the matter of the appointment of the late Dr. Watson's successor as Principal of the Technological Institute ?

(b) Are the Government making an effort to secure an Indian principal ? If not, do they intend doing so ?

**The Hon'ble Thakur Rajendra Singh** : (a) & (b) The post will be advertised in India in the first instance.

*Rasad AND Begar.*

\* 15. **Rai Sahib Lala Jagdish Prasad** : (a) What are the existing orders of the Government regarding the system of *rasad* and *begar* ?

(b) Do Government intend to consider the advisability of abolishing the system of procuring *rasad* and *begar* through chaudhris and of appointing in their place contractors for the supply of carts, labour, and rations, etc., for Government officers, when necessary ?

\* **The Hon'ble Sir Sam O'Donnell** : (a) The existing orders, which were issued on November 17, 1924, are contained in paragraphs 441 to 444 of the Manual of Government Orders.

(b) The *Rasad* and *Begar* committee (1921) carefully considered the adoption of a system of contract, but unanimously decided against it. Chaudhris are not officially recognized, but where they exist it is often found convenient to employ them. The subject of chaudhris is referred to in paragraph 561 of the Manual of Government Orders.

CANDIDATES FOR SANDHURST.

\* 16. **Babu Sampurnanand** : Will the Government lay on a statement showing the names, qualifications, caste (if Hind and permanent address (district only) of all the candidates r

Sandhurst from these provinces from 1922 to 1926 and indicating how many of these were finally selected?

**The Hon'ble Sir Sam O'Donnell:** A statement is laid on the table.

(See Appendix C, page 510.)

**Babu Sampurnanand:** What are the considerations that guide the Government in making the selections?

**The Hon'ble Sir Sam O'Donnell:** The selections are not made by us. They are made by the Government of India.

**Babu Sampurnanand:** I find that 16 out of 20 recommendations have been rejected. Has this Government received any instructions for making these selections so that there may not be so many rejections in future?

**The Hon'ble Sir Sam O'Donnell:** There are instructions laid down in the publications and the candidates are interviewed, and we make the best recommendations we can. In some cases they fail. It must be remembered that the number of appointments is limited and recommendations are made from all over India. The men we recommend may be suitable enough, but they may not be suitable when compared with candidates from other provinces.

#### PHYSICAL EDUCATION IN SCHOOLS AND COLLEGES.

\* 17. **Babu Sampurnanand:** In what Government schools and colleges is physical education of any kind compulsory? Have the heads of these institutions made it compulsory by their own orders or in virtue of any authority?

**The Hon'ble Rai Rajeshwar Bali:** All, vide paragraph 106 of the Educational Code.

#### OUTBREAK OF SMALL-POX.

\* 18. **Babu Sampurnanand:** (1) Has it come to the notice of the Government that small-pox, in a more virulent form than usual, has broken out in many districts? (2) Has Government investigated into the cause of this outbreak? (3) What steps has Government taken to stop the further spread of the disease?

**The Hon'ble Rai Rajeshwar Bali:** (1) The epidemic is more widespread, but not more virulent, than usual.

(2) Yes. The epidemic commenced about two years ago in Bengal and Bihar and gradually spread northward to these provinces. It is more widespread than usual as a large number of better class children are escaping vaccination which is not compulsory in rural areas. In primary schools, where it has been possible to examine a large number of children, the percentage of unvaccinated children has been found to be as much as 10 per cent.

(3) In districts where district health scheme has been introduced rigorous and detailed inspections are being carried out and an intensive propaganda has been going on for nearly two years with good results. The number of vaccinations increased from 1,243,750 in 1924-25 to 1,304,127 in 1925-26. Government are considering the extension of

compulsory vaccination to town areas and also the general question of making vaccination compulsory in all rural areas.

**Babu Sampurnanand :** Is the number of better class children escaping vaccination on the increase?

**The Hon'ble Rai Rajeshwar Bali :** It is difficult to say, but it has been found that a large number of such children are escaping vaccination.

**Babu Sampurnanand :** Has the number risen during the last two years?

**The Hon'ble Rai Rajeshwar Bali :** It appears to be so, but it is difficult to say so definitely.

#### INDIAN TROOPS TO CHINA.

\* 19. **Babu Sampurnanand :** Was the Government consulted by the Imperial Government in connexion with the despatch of Indian troops to China?

\* **The Hon'ble Sir Sam O'Donnell :** No.

#### PROCESSION OF UNTOUCHABLES ON BASANT PANCHMI IN BENARES.

\* 20. **Babu Sampurnanand :** Is it a fact that a procession of so-called untouchables was announced to bathe in the Ganges in Benares and later to offer worship at the Vishwa Nath and Annapurna temples on the last *Basant Panchmi* day?

\* **The Hon'ble Sir Sam O'Donnell :** An announcement to this effect was made in a local newspaper.

\* 21. **Babu Sampurnanand :** Is it a fact that police were posted at these temples to prevent the entry of the processionists therein? If so, were the police posted at the request of the temple authorities or at the initiative of the district magistrate?

**The Hon'ble Sir Sam O'Donnell :** At the request of the temple authorities and others a posse of police was stationed near the temple in question as a precautionary measure in order to prevent any possible breach of the peace. As a matter of fact, there was no attempt to carry out the intention announced by the newspaper.

**Babu Sampurnanand :** From what quarter was this breach of the peace expected?

**The Hon'ble Sir Sam O'Donnell :** It was apprehended that there might be friction between the orthodox persons and the other people.

**Babu Sampurnanand :** Had the Government information whether these processionists were armed?

**The Hon'ble Sir Sam O'Donnell :** Government got no information at all on the point. We never heard of it till afterwards.

**Babu Sampurnanand :** Was it the intention of the Government to prevent this section of Hindus from entering a Hindu temple?

**The Hon'ble the President :** The honourable member is arguing. The answer is already there. They were stationed there by way of precaution.

\* 22. **Babu Sampurnanand :** [*Postponed at the request of Government till March 30, 1927.*]

RETURN OF INDIAN RESIDENTS OF UNITED PROVINCES FROM  
BRITISH COLONIES.

\* 23. **Babu Sampurnanand :** Will the Government lay on the table a statement showing the total number of Indian residents of these provinces who have returned within the last four years from the various British colonies, the number of those who have been able to settle down in these provinces, the number of those who have returned to the colonies, and of those who have neither settled down nor returned?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** This Government have no information.

\* 24. **Babu Sampurnanand :** What help does Government render to those who wish to settle down?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No help is rendered by the Local Government.

**Babu Sampurnanand :** Could this information not be had from the records of the emigration office which was maintained in Benares?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The reason we gave this answer was that it is a central subject. It is not a provincial subject.

**Babu Sampurnanand :** Is it the intention of Government to render such help in future?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** This is a central subject. It is for the Government of India to give such help or to make arrangements. This is not a provincial subject.

ACCIDENTS IN FACTORIES.

\* 25. **Khan Bahadur Hafiz Hidayat Husain :** What was the total number of accidents in factories recorded in 1924-25 and 1925?

What is the increase due to? How many persons were killed in fatal accidents during the same period? What compensations were granted to their heirs under the Workmen's Compensation Act?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There were 906 accidents in 1924 and 1,401 in 1925. The number during 1926 is not yet available.

The increase is mainly an increase in minor accidents. No reason can be given except that 1,700 more operatives were employed than in the previous year and there was a net increase of fifteen factories. There were twelve fatal accidents in 1924 and twenty in 1925. In 1924 Rs. 643 compensation and in 1925 Rs. 10,002 compensation were paid under the Workmen's Compensation Act. But these payments relate to all workmen not only to those employed in factories.

CONVICTIONS FOR CONTRAVENTION OF FACTORIES ACT.

\* 26. **Khan Bahadur Hafiz Hidayat Husain :** What was the number of convictions obtained in 1925 and 1926 for contravention of the Factories Act? What is the aggregate amount of fine awarded?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In 1925 seven convictions were obtained. The fines amounted to Rs. 382. The statistics of 1926 are not yet available.

FACTORY INSPECTORS.

\* 27. **Khan Bahadur Hafiz Hidayat Husain :** How many factory inspectors are there in these provinces? How many factories did they inspect in 1926?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Four. Government have recently appointed deputy collectors of seven years' standing, and certain civil surgeons and officers of the Public Health department to be additional inspectors of factories. Statistics are not available showing the number of factories inspected in 1926.

EMPLOYMENT OF WOMEN IN FACTORIES.

\* 28. **Khan Bahadur Hafiz Hidayat Husain :** Has the employment of women in factories increased? If so, what is the percentage of increase every year beginning from 1921?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No; 6,918 women and girls were employed during 1921, and 6,674 during 1925.

APPOINTMENT OF A FACTORY INSPECTRESS.

\* 29. **Khan Bahadur Hafiz Hidayat Husain :** In view of the increasing employment of women, do Government contemplate the appointment of a woman factory inspector?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There has been no increase. Government have, however, fully considered the question and have decided that there is no need at present to appoint an inspectress.

VETERINARY COLLEGE.

\* 30. **Khan Bahadur Hafiz Hidayat Husain :** Do Government contemplate establishing a veterinary college in these provinces? If so, when?

**The Hon'ble Thakur Rajendra Singh :** Not at present.

**Khan Bahadur Hafiz Hidayat Husain :** How long does Government contemplate to take to open the school?

**The Hon'ble the President :** The answer is there. It says "not at present."

EMPLOYMENT IN THE PROVINCIAL JUDICIAL SERVICE.

\* 31. **Khan Bahadur Hafiz Hidayat Husain :** Have any of the district judges claimed from the Hon'ble High Court special consideration for their sons or other close relatives seeking employment in the Provincial Judicial Service of the Government? On what ground is this concession sought? What reply have the Hon'ble High Court given to this representation? Are Government in sympathy with that answer?

**The Hon'ble Sir Sam O'Donnell :** The answer to the first part of the question is in the negative, and the rest of the question does not arise.

#### REWARDS TO POLICE OFFICERS FOR PROSECUTING GAMBLERS.

\* 32. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that magistrates have been authorized to grant rewards to police officers for prosecuting gamblers?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\* 33. **Pandit Bhagwat Narayan Bhargava :** Are there any definite orders of the Government in this connexion? If so, will the Government be pleased to lay them before the Council?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes. A copy of the orders is laid on the table.

*(See Appendix D, page 511.)*

\* 34. **Pandit Bhagwat Narayan Bhargava :** Are the magistrates empowered to pass orders for such rewards apart and separately from the judgment of cases in which gamblers have been convicted?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** This appears to involve a legal pronouncement which the Government are not prepared to make. The matter seems to be one for the courts.

**Pandit Bhagwat Narayan Bhargava :** Am I to understand that Government has left this matter entirely to the discretion of the courts and have not issued any orders in connexion with it?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As I have said in my reply this seems to be a legal matter, and, if any illegality has taken place, I think the aggrieved party can appeal and get it righted.

**Pandit Bhagwat Narayan Bhargava :** Have any written orders been issued in this connexion by Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Not that I am aware of.

#### CORRUPTION AMONGST PUBLIC SERVANTS.

\* 35. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if it has been made a part of the duties of C. I. D. officers to inquire into corruption amongst public servants?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Criminal Investigation department undertake such investigations only when instructed to do so.

\* 36. **Pandit Bhagwat Narayan Bhargava :** Are they empowered to make confidential inquiries without orders from district magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Investigations into non-cognizable cases require an order from a competent magistrate.

#### HISTORY SHEETS BY POLICE.

\* 37. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the principle and policy underlying the preparation of history sheets by police?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to paragraphs 212 to 233 of chapter XIX of Police Regulations as revised. A copy of the revised chapter has been sent for insertion in the copy of the regulations in the Council library.

**\* 38. Pandit Bhagwat Narayan Bhargava :** Is it a fact that the persons whose history sheets are prepared are not given any information of complaints against them ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There is no rule requiring the police to give suspects information of complaints made against them, other than complaints which they are investigating according to law, and there are circumstances when it would be highly inexpedient to give such information. But it is the duty of the police to verify the correctness of all entries made in history sheets by all means at their disposal, and for this purpose they do inform suspects of complaints made against them and do ask them to explain such complaints whenever necessary or possible. Should any criminal action follow such complaints the person on history sheet is given every opportunity in court of answering complaints recorded against him.

**\* 39. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to lay before the Council a copy of the orders and instructions which are followed in recording a history sheet ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to the answer to question No. 37.

POSTS HELD BY I.C.S. AND I.M.S. OFFICERS.

**\* 40. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give a list of posts not reserved for but held by I. C. S. and I. M. S. officers ?

**The Hon'ble Sir Sam O'Donnell :** A list is laid on the table.

(See Appendix E, page 512.)

STATIONS RESERVED FOR EUROPEAN CIVIL SURGEONS.

**\* 41. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the names of stations reserved for European civil surgeons ?

**The Hon'ble Rai Rajeshwar Bali :** The reservation of posts for the Indian Medical Service is still the subject of correspondence with the Government of India.

OFFICERS ON SPECIAL DUTY.

**\* 42. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the name of I. C. S. officers who were on special duty on January 1, 1927 ?

**The Hon'ble Sir Sam O'Donnell :** On that date Mr. H. S. Ross was on special duty in the Board of Revenue office, and Mr. H. J. Frampton at headquarters in connexion with the General Administration Report.

GOVERNMENT'S ACTION ON RESOLUTION *re* SUPERSESSION OF RAI  
BAHADUR MR. A. C. MUKERJI.

\* 43. **Pandit Bhagwat Narayan Bhargava** : What action has the Government taken on the resolution passed by the Council in connexion with the supersession of Rai Bahadur Mr. A. C. Mukerji?

**The Hon'ble Rai Rajeshwar Bali** : Government are unable to make any statement at present, as the matter is the subject of correspondence with the Government of India.

PAMPHLETS ON AGRICULTURE.

\* 44. **Pandit Bhagwat Narayan Bhargava** : Were any vernacular leaflets or pamphlets on agriculture distributed to villagers during the last year? If so, in which districts, on what particular subject, and how many?

**The Hon'ble Thakur Rajendra Singh** : Yes. More than one lakh of vernacular leaflets and pamphlets on agriculture were distributed amongst villagers during the last year. The subjects dealt with and the districts where these were distributed are given below :—

*Subject.*

*Districts.*

Cultivation of—

Sugarcane, lucerne, ground nut, cotton, maize, gram, *arhar*, hot-weather cultivation, reaping machines, sowing of crops in lines, improvement in the produce of wheat where there is a shortage of manure, green fodder, silage, use of improved ploughs and other agricultural implements, *gur* manufacture, *phungi*, harvesting of *rabi*, potato diseases, sugarcane borer machinery, cane mills, harrows, Weston plough, cotton sowing, silage making, maize sowing, abstract of circle reports.

Cawnpore, Fatehpur, Mainpuri, Farrukhabad, Unao, Hardoi, Sitapur, Kheri, Jhansi, Banda, Fyzabad, Partabgarh, Sultanpur, Bara Banki, Ballia, Benares, Ghazipur, Azamgarh, Lucknow, Jaunpur, Mirzapur, Bareilly, Bijnor, Budaun, Moradabad, Almora, Naini Tal, Gorakhpur, Basti, Gonda, Bahraich, Aligarh, Bulandshahr, Muzaffarnagar, Meerut, Saharanpur.

\* 45. **Pandit Bhagwat Narayan Bhargava** : [*Postponed at the request of Government till March 30, 1927.*]

ADMISSION OF INDIANS INTO EUROPEAN SCHOOLS.

\* 46. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state if admission of Indians is permitted into European schools? If so, on what conditions?

**The Hon'ble Sir Sam O'Donnell** : The honourable member is referred to paragraph 9(d) of the Code of Regulations for European Schools.

GRANTS TO EUROPEAN SCHOOLS.

\* 47. **Pandit Bhagwat Narayan Bhargava** : What grants do the Government give to various European schools in the United Provinces and what is their total annual expenditure?



**The Hon'ble Sir Sam O'Donnell :** The honourable member is referred to general table No. VII appended to the general report on public instruction for the year ending March 31, 1926, a copy of which has already been sent to him.

EUROPEAN SCHOOL, JHANSI.

**\* 48. Pandit Bhagwat Narayan Bhargava :** How many admissions to Indians were refused in the Jhansi European school during the last four years, and on what grounds?

**The Hon'ble Sir Sam O'Donnell :** Government have no information.

**Pandit Bhagwat Narayan Bhargava :** Did the Government make any inquiry?

**The Hon'ble Sir Sam O'Donnell :** I do not think that the schools keep any record of these admissions.

**Pandit Bhagwat Narayan Bhargava :** Does the Government approve of the idea of refusing admissions of Indians in the European schools?

**The Hon'ble Sir Sam O'Donnell :** In this particular case I believe the school is one which is maintained by the railway for the Anglo-Indian employees. It is a school with limited accommodation and for a limited class. I understand that the whole question of railway schools is under the consideration of the Railway Board.

**Pandit Iqbal Narayan Gurtu :** Is this school receiving any Government grant?

**The Hon'ble Sir Sam O'Donnell :** Yes; the school receives a small grant.

PROVIDENT FUND FOR MUNICIPAL HEALTH OFFICERS.

**\* 49. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if medical officers of health in the employment of municipal boards are allowed any provident fund from the board? If not, do they hold a pensionable post?

**The Hon'ble Rai Rajeshwar Bali :** No; municipal officers of health are non-pensionable Government servants, and the benefits of the general provident fund are open to them.

PROMOTION OF HEAD MASTERS OF VERNACULAR MIDDLE SCHOOLS  
TO SUB-DEPUTY INSPECTORSHIPS.

**\* 50. Pandit Bhagwat Narayan Bhargava :** Have any head masters of vernacular middle schools been promoted to sub-deputy inspectorships during the last five years? If so, when, where, and how many?

**The Hon'ble Rai Rajeshwar Bali :** Yes; three. One in each of the years 1923, 1924, and 1925 in Bijnor, Etawah and Banda, respectively.

**\* 51. Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till March 30, 1927.*]

## MACDONNELL HIGH SCHOOL, JHANSI.

\* 52. **Pandit Bhagwat Narayan Bhargava**: Will the Government be pleased to state what recurring grants does it pay annually to the MacDonnell High School, Jhansi, and what is its total annual expenditure?

**The Hon'ble Rai Rajeshwar Bali**: Rs. 11,400; Rs. 27,744.

\* 53. **Pandit Bhagwat Narayan Bhargava**: What is the total number of the students and hostellers in the school?

**The Hon'ble Rai Rajeshwar Bali**: 570; 24.

\* 54. **Pandit Bhagwat Narayan Bhargava**: Do the Government intend to allow the managing committee to start intermediate classes in the school?

**The Hon'ble Rai Rajeshwar Bali**: The matter is one for the Board of High School and Intermediate Education to decide.

\* 55. **Pandit Bhagwat Narayan Bhargava**: Are the Government prepared to pay any grant for the same?

**The Hon'ble Rai Rajeshwar Bali**: The question will be examined on its merits when and if an application is received from the school authorities.

## INTERMEDIATE COLLEGE, JHANSI.

\* 56. **Pandit Bhagwat Narayan Bhargava**: Have the Government considered the advisability of starting B. A. and B. SC. classes in the Intermediate College, Jhansi, since 1925 when the question was raised in this Council?

**The Hon'ble Rai Rajeshwar Bali**: No.

## TREASURY OFFICERS.

\* 57. **Pandit Bhagwat Narayan Bhargava**: Will the Government be pleased to state if they intend to abolish the posts of treasury officers in the United Provinces? If so, in which districts and at what places?

**Mr. E. A. H. Blunt**: The Government have given the required information in the answer to question No. 13 asked by Pandit Govind Ballabh Pant Sahib on March 9, 1927. The two districts where the experiment will be made shortly are Allahabad and Partabgarh. The treasury at Partabgarh will be reduced to a sub-treasury, which, together with the other sub-treasuries in that district, will be under the Allahabad treasury; and the treasury at Allahabad will be placed in charge of a trained accountant.

*Copy of starred question No. 13 for March 9, 1927, asked by PANDIT GOVIND BALLABH PANT SAHIB and the answer given thereto.*

## QUESTION.

\* In how many treasuries have deputy collectors been replaced by superintendents since the introduction of the present account and audit system? What is the system of the selection and appointment of superintendents, and how many are likely to be appointed next year?

ANSWER.

\* (1) An experiment will shortly be made in two districts, which involves this change amongst others.

(2) The system of selection and appointment was explained in connexion with one of the supplementary demands put before Council on January 29. The intention is, briefly, to replace deputy collectors in the post of treasury officer by trained accountants drawn from the subordinate accounts service. Unfortunately the number of such men is inadequate to carry out their proper duties, and also to fill the posts of treasury officer. It has become necessary, therefore, to increase their numbers by special recruitment direct into that service. These men will be trained to replace members of the subordinate accounts service in their regular posts, which will release the latter for posts of treasury officer. It is proposed to recruit twenty of these, some in the current year and some next year.

(3) It is not possible to say how many posts of treasury officer will be filled by men of the subordinate accounts service next year. It depends partly on the rapidity with which the new men can be trained, thus releasing officers already in service for the post of treasury officer; partly on the number of officers already in service available; and partly on the rapidity with which the present deputy collectors can be absorbed in other posts. Government can only make the change gradually, but will endeavour to carry it out as rapidly as possible.

REDUCTION OF THE CADRE OF DEPUTY COLLECTORS.

\* 58. **Pandit Bhagwat Narayan Bhargava:** Do the Government contemplate to reduce the present cadre of deputy collectors?

**The Hon'ble Sir Sam O'Donnell:** Since 1923 the reversion or retirement of officers employed in the Income-tax and Opium departments has reduced the cadre from 406 to 388. Another officer reverts from the Opium department in April, and the cadre will then stand at 387. There may be some further opium reversions, but intimation has not yet been received. Apart from this, the effect of a proposal, now under consideration, to substitute accounts officers for the present treasury officers will have to be considered in connexion with the cadre of deputy collectors, but details are at present lacking, and no forecast is possible at this stage. Another consideration which will be examined when the position is clear is the effect of the new tenancy legislation on the volume of work in the districts.

RENT OF HOUSES FOR INDIAN SERVICES.

\* 59. **Pandit Bhagwat Narayan Bhargava:** Is it a fact that the Government have fixed some principles for calculating the rent of houses for Indian services on the suggestion of Secretary of State for India? If so, will it state them before the Council?

\* 60. Do the Government intend to apply them for the residences of provincial services as well?

**The Hon'ble Sir Sam O'Donnell:** Some months ago a *communiqué* appeared in the Press describing certain changes that the Secretary of State in Council proposed to make in the rules regarding the calculation of the rent of houses. Those were based on the recommendations of the Lee Commission, and applied primarily only to all-India services. But the new rules have not yet been issued, and this Government accordingly have taken no action in the matter. When the time comes for them to do so they will consider the matter raised in question No. 60.

\* 61. **Pandit Bhagwat Narayan Bhargava:** [Postponed at the request of Government till March 30, 1927.]

## GRAIN PURCHASE COMMITTEE FOR JAILS.

\* 62. **Pandit Bhagwat Narayan Bhargava** : What is the personnel of the Grain Purchase Committee for jails? How is it constituted?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The Grain purchase committee is constituted as follows:—

- (1) The Inspector-General of Prisons.
- (2) The Director of Agriculture.
- (3) The Stores Purchase Officer.
- (4) & (5) Two non-official members nominated by the Government. These are at present Khan Bahadur Fazl-ur-Rahman Khan Sahib, M.L.C., and Kunwar Bikram Singh Sahib, M.L.C.
- (6) The Deputy Secretary to Government, Judicial department.

\* 63. **Pandit Bhagwat Narayan Bhargava** : What are its functions? Do they record their proceedings? If so, where?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The Committee consider the procedure to be followed in connexion with the supply of grain for the jails of the province for the coming financial year. They record their proceedings in a note which they submit to the Government.

\* 64. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state if non-official visitors of jails can be allowed to peruse and criticize their recommendations?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Government understand the question to be a suggestion that the proceedings of the Grain Purchase Committee be circulated to all the non-official visitors of the 56 jails in the United Provinces. They cannot undertake to do this, but they will always be glad to consider criticisms of the system in force and of its practical working in the particular jail with which any non-official visitor is concerned.

**Babu Bhagwati Sahai Bedar** : May I know, Sir, when these combinations were made, or when this committee was constituted?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I do not know the exact date. I think it was a month or two ago when this was done.

**Babu Bhagwati Sahai Bedar** : On what basis were the nominations made by the Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I think it is the prerogative of the Government to nominate anybody, and they have nominated one Hindu and one Muhammadan from among the members of the Council. There is no basic principle to be followed in this matter.

**Babu Bhagwati Sahai Bedar** : Is it not desirable that men who have experience should be there?

**The Hon'ble the President** : That is asking for opinion.

\* 65 to \* 70. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till March 30, 1927.*]

REVENUE CASES PENDING IN SUB-DIVISIONAL OFFICER'S COURT, MAU-GAROTHA (JHANSI).

\* 71. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the number of revenue cases pending in the court of the sub-divisional officer of Mau-Garotha (Jhansi) for more than six months, one year, and two years together with reasons for delay ?

**The Hon'ble Sir Sam O'Donnell :** No cases are pending for more than a year, and only three for more than six months. In two of these local inspection and in the third the production of documents delayed proceedings.

\* 72. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till March 30, 1927.*]

#### PROSCRIPTION OF BOOKS.

\* 73. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the number of books proscribed by it during the last three years together with the language of the books ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Including pamphlets in the term "books" the number proscribed since 1924 is sixteen, of which the language of ten was Hindi, of four Urdu, one Bengali, and one Punjabi.

#### CONVICTION OF EDITORS, PRINTERS, AND PUBLISHERS.

\* 74. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to give the number of editors of papers, their printers, and publishers who were convicted for any offence connected with, or incidental to, the writings in the papers during the last three years ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In prosecutions instituted by the Government two editors and one publisher were convicted in 1924 and two editors in 1925.

\* 75. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till March 30, 1927.*]

#### INTEREST ON LOANS.

\* 76. **Pandit Bhagwat Narayan Bhargava :** What is the rate of interests which the Government charge for advancing loans to industrial societies ?

**The Hon'ble Thakur Rajendra Singh :** Seven per cent. per annum.

#### GRANT FOR AGRICULTURAL HOLDINGS.

\* 77. **Pandit Bhagwat Narayan Bhargava :** How much grant did the Government place at the disposal of the Registrar of Co-operative Societies in the years 1925 and 1926 for pushing the work of consolidation of agricultural holdings ?

**The Hon'ble Thakur Rajendra Singh :** In 1926-27 Government provided Rs. 500 for the work of propaganda. They have increased this amount to Rs. 1,600 in 1927-28.

INTERMEDIATE COLLEGE, JHANSI.

\* 78. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that some students of the Intermediate College, Jhansi, were promoted last year from first year to second-year class without their appearing at the annual examination? If so, how many? Will the Government be pleased to state the reasons for their promotion?

**The Hon'ble Rai Rajeshwar Bali :** Yes; two. Good work during the college session.

\* 79. **Pandit Bhagwat Narayan Bhargava :** Was a re-examination held of students who failed in the annual examination?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

\* 80. **Pandit Bhagwat Narayan Bhargava :** Did the said students appear in the re-examination?

**The Hon'ble Rai Rajeshwar Bali :** No.

\* 81. **Pandit Bhagwat Narayan Bhargava :** (1) Did the inspector of schools make any remarks in his inspection note about students who were promoted though they did not appear or failed in the annual examination or other terminal examinations?

(2) If yes, what action did the Director of Public Instruction take on inspector's note?

**The Hon'ble Rai Rajeshwar Bali :** (1) No. The panel of inspectors said that admissions and promotions to class VIII had been badly done and the divisional inspector objected to weak promotions.

(2) None. The principal is expected to remove defects pointed out by inspectors.

\* 82. **Pandit Bhagwat Narayan Bhargava :** What amount is charged from each hosteler in the college for servants' charges?

**The Hon'ble Thakur Rajendra Singh :** Rs. 2-8. A reduction of Re. 1 is made in the case of those who cook for themselves.

\* 83. **Pandit Bhagwat Narayan Bhargava :** What is the number of boarders and of the servants in the boarding-house, and what is the expenditure incurred on the latter's pay?

**The Hon'ble Rai Rajeshwar Bali :** Boarders 24; servants 5. Servants' pay Rs. 50 per mensem approximately.

\* 84. **Pandit Bhagwat Narayan Bhargava :** Is this amount deposited in the savings bank, or does it remain with any officer of the college?

**The Hon'ble Rai Rajeshwar Bali :** In the post office savings bank.

\* 85. **Pandit Bhagwat Narayan Bhargava :** Was the whole amount realized last year spent on servants, or was there any saving?

**The Hon'ble Rai Rajeshwar Bali :** There was a saving.

\* 86. **Pandit Bhagwat Narayan Bhargava**: With whom were savings, if any, deposited last year?

**The Hon'ble Rai Rajeshwar Bali**: The honourable member is referred to the reply to question No. 84.

\* 87. **Pandit Bhagwat Narayan Bhargava**: Will the Government be pleased to state what amount was spent on the garden of the college last year, and out of which funds?

**The Hon'ble Rai Rajeshwar Bali**: Rupees 127-11, out of the college contingent allotment.

### UNSTARRED QUESTIONS.

#### POEM ENTITLED "SHUDDHI KI HAQIQAT."

1. **Thakur Hukum Singh**: (a) Has the attention of the Government been invited to a poem entitled "Shuddhi ki Haqiqat" published in the vernacular paper, the *Muslim Sewak*, dated January 24, 1927, which is published from Agra?

(b) What steps do the Government propose to take to prosecute the offenders?

**Mr. G. B. Lambert**: (a) Yes.

(b) Government have proscribed the issue of the paper and sanctioned the prosecution of the editor.

#### FACTORIES IN THE UNITED PROVINCES.

2. **Khan Bahadur Hafiz Hidayat Husain**: How many factories under the Factories Act are working in these provinces? How many out of these are cotton-ginning factories, rice mills, and printing presses?

**Kunwar Jagdish Prasad**: The number of factories on the register is 346. There are 49 cotton-ginning factories, 63 cotton-ginning and pressing factories, four rice mills in addition to six rice mills attached to six of the above ginning factories, and 19 printing presses.

3. **Khan Bahadur Hafiz Hidayat Husain**: What was the factories population in the month of January, 1927, as compared to January, 1926? How many out of these are women and how many are children?

**Kunwar Jagdish Prasad**: Monthly figures of factory population are not kept, but the average daily number of persons employed during 1926 was 78,942. Of these 5,638 are women and 1,866 children.

4. **Khan Bahadur Hafiz Hidayat Husain**: How many factories were notified under section 2(3) (b) of the Act? Which are those factories?

**Kunwar Jagdish Prasad**: One, the Manauri Oil Factory.

5. **Khan Bahadur Hafiz Hidayat Husain**: Does the number of factories in which the employers work for the maximum hours permissible under the Act show a tendency to increase? If so, what is this due to?

**Kunwar Jagdish Prasad**: No.

6. **Khan Bahadur Hafiz Hidayat Husain**: Were any exempted of the operatives made under the various sections of the Act? If so,

what sections were the exemptions mostly given and what is the particular reason assigned for these exemptions ?

**Kunwar Jagdish Prasad :** Exemptions are given chiefly under section 30 of the Act for persons employed on processes which necessitate continuous production for technical reasons ; also for persons engaged in supplying the public with articles of prime necessity ; and for persons working on urgent repairs.

#### APPLICANTS FOR CO-OPERATIVE TRAINING CLASS.

7. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to state how many applicants were selected for admission to the United Provinces Co-operative Training class ? What are their names, age, and qualifications ? How many licentiates in agriculture of the Cawnpore Agriculture College were selected for admission ? Was any preference shown to the latter ? If so, in what particular ?

**Kunwar Jagdish Prasad :** A statement is laid on the honourable member's table. In making selections Government bore in mind the recommendation of the Oakden Committee that preference should be given to graduates in economics or graduates of agricultural colleges. None of the latter who applied, however, had all the requisite qualifications.

(See Appendix F, page 513.)

#### LOAN TO AGRICULTURISTS OF FATEHPUR, CAWNPORE, AND ETAWAH.

8. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to state districtwise how much loan to agriculturists for purposes of agriculture was given in Fatehpur, Cawnpore, and Etawah districts during the year 1925-26 ? How much out of this was given for (i) seed, (ii) cattle, and (iii) well-sinking ?

**Mr. H. A. Lane :** A statement is laid on the table.

(See Appendix G, page 513.)

9. **Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till March 30, 1927.*]

#### MEMBERS OF UJHANI MUNICIPALITY.

10. **Khan Bahadur Hafiz Hidayat Husain :** What are the circumstances under which four members of the Ujhani municipal board have ceased to be members of the board ? Have the Government considered their cases, and, if so, with what result ?

**Sir Ivo Elliott :** Four members of the Ujhani board acted together in order that one of their number might obtain bricks belonging to the municipality at too low a price. Government considered the case and removed the members under section 40 of the Municipalities Act.

11 and 12. **Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till March 30, 1927.*]

#### Jamabandis FOR CANAL DUES.

13. **Raja Kushal Pal Singh :** Are the Government aware that *jama-bandis* for canal dues are not received by *lambardars* before the middle of May, when all crops are off the threshing floors ?



**The Hon'ble Sir Sam O'Donnell :** Yes ; this is probably the case in some districts.

14 to 22. **Pandit Iqbal Narayan Gurtu :** [*Transferred to the list of starred questions for March 23, 1927.*]

23 and 24. **Babu Sampurnanand :** [*Postponed at the request of Government till March 30, 1927.*]

**GOVERNMENT GRANT TO DISTRICT BOARDS FOR MEDICAL PURPOSES.**

25. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to lay a statement before the Council showing the grants-in-aid given by Government to each district board for medical purposes and the total expenditure incurred by each of them on medical institutions for the last three years.

**Sir Ivo Elliott :** The honourable member is referred to statements II and III of the reports on the working of districts boards for the years in question.

**GOVERNMENT GRANT TO HINDI *pathshalas* AND ARABIC *madrasas*.**

26. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to lay a statement on the table showing the names of Sanskrit or Hindi *pathshalas* and those of Arabic *madrasas* and private *maktabs* and Islamia schools together with the grants-in-aid given by Government during the year 1926 ?

**Kunwar Jagdish Prasad :** A statement showing the names of Sanskrit *pathshalas* and Arabic *madrasas*, aided by Government in the financial year 1926-27 and the amount of monthly grant given to each, is laid on the table of the honourable member. No list of Hindi *pathshalas*, *maktabs*, and Islamia schools is kept by Government. Hindi *pathshalas* and *maktabs* receive aid from local bodies, and Islamia schools are maintained by them.

(See Appendix H, page 514.)

**GOVERNMENT GRANT TO DISTRICT BOARDS FOR MAINTENANCE OF ROADS.**

27. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to lay a statement before the Council showing the grants given by them to district boards for the maintenance of roads and the total expenditure of these boards on that account during the last three years ?

**Sir Ivo Elliott :** The honourable member is referred to statements II and III of the reports on the working of district boards for the years in question.

**DEATH AND INOCULATION OF CATTLE IN JHANSI.**

28. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the number of cattle inoculated in Jhansi district during the last three years as well as the number of deaths of cattle ?

**Kunwar Jagdish Prasad :** Figures are as follows :—

Year.	Inoculations	Deaths.
1923-24	803	43
1924-25	6,672	96
1925-26	17,788	54

VILLAGES IN CHARGE OF VETERINARY ASSISTANT SURGEONS IN  
JHANSI.

**29. Pandit Bhagwat Narayan Bhargava :** How many villages are in charge of each veterinary assistant surgeon in Jhansi district?

**Kunwar Jagdish Prasad :** There are three veterinary assistant surgeons in the district. One is in charge of two tahsils, Jhansi and Moth, containing 329 villages; the second is in charge of Mau and Garotha containing 372 villages, and the third, Lalitpur and Mahroni, which comprise 755 villages.

PAY TO DISTRICT BOARD TEACHERS.

**30. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the number of district boards which are unable to give pay to their teachers in accordance with the scale fixed by Government in educational rules?

**Kunwar Jagdish Prasad :** None, so far as Government are aware.

**31. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state how much additional recurring expenditure will each of them have to bear for giving pay according to that scale?

**Kunwar Jagdish Prasad :** Does not arise.

**32. Pandit Bhagwat Narayan Bhargava :** Did the Government fix the standard minimum expenditure on education for each board after considering the fact that boards have not been paying full pay to all teachers?

**Kunwar Jagdish Prasad :** When the standard was fixed Government assumed that the boards were paying their teachers at the prescribed rates in accordance with the rules.

PECUNIARY REQUIREMENTS OF DISTRICT BOARDS FOR EDUCATIONAL  
PURPOSES.

**33. Pandit Bhagwat Narayan Bhargava :** Has the Government acquainted itself with the pecuniary requirements of district boards for educational purposes?

If not, has it any objection to doing so before deciding upon the grants to be given next year?

**Kunwar Jagdish Prasad :** Yes.

The second part of the question does not arise.

THE BUDGET, 1927-28.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 4.

HEAD 26.—POLICE.

**The Hon'ble the President :** Item II on the order paper. Resumption of the debate on the motion for reduction by Babu Kavendra Narayan Singh.

**Babu Bhagwati Sahai Bedar :** Ingenuity, want of affectation, and bewitching manners not only sometimes win battle which no firearms can do, but play a prominent part in the history of a nation. Some time in the sixteenth century the great Moghul Emperor Jahangir fell a victim to this ingenuity displayed in the manners of Nurjahan in her reply to the question of Jahangir as to how the pigeon entrusted to her charge took to its wings. Similarly, Sir, in the year 1927, on the 14th March, at 5 p.m., I was victimized by the Hon'ble the Home Member through that ingenuity demonstrated by him in reply to a question put to him by me. Sir, in this question the House will remember I asked whether a list was maintained in these provinces in which the names of political suspects were entered, and he in a lovely manner replied : " I do not know the details."

یاد ہی وہ شب وصال چونک کے اُن کا پوچھنا

کہیں سے ابھی یہہ اپنے پاؤں مزے دہائے کیوں

So, Sir, frankness being on our side and shyness on the other side, I warn the Inspector-General of Police to release the Hon'ble the Home Member from his clutches, or else he shall be subjected to my attacks just as Sher Afgan fell a victim to the displeasure of Jahangir. Sir, since I have agreed to entrust the administration to the Hon'ble the Home Member I will not grudge the money that is being voted for the Criminal Investigation department. I realize that it is a very useful department. Every Government will have to maintain it, including, I believe, the Swaraj Government. Not only that, the latter will also have to maintain a spy system. But the question is, whether the work which the Criminal Investigation department is doing at present is to the best interests of India or Great Britain. I submit that the existing Criminal Investigation department is not serving the interest of India. It is serving the foreigners. It does not mean business at all. The annual report of the police shows what the Criminal Investigation department is doing. I in vain tried to find out the details of further classification of departments in the Criminal Investigation department but could not. I will, therefore, take my lesson from a student. The other day I heard that in a certain examination a boy was asked how he would classify the Criminal Investigation department, and he replied that the Criminal Investigation may be divided into three heads—(1) the civil police ; (2) the reserved police ; and (3) the bomb police. I shall deal with the bomb police and show to the Council what its achievements are. In the whole year 102 cases were investigated, and of these only one was a political case, namely, the Kakori Dacoity Case, in regard to which the Inspector-General of Police said the other day that it would soon be completed. It will appear, therefore, that, as far as the political branch of the Criminal Investigation department was concerned, only one case in the whole year was investigated by them, and that was the Kakori Dacoity Case. Again, I believe, it was in 1916 or 1917 that they investigated the Benares Conspiracy Case, so that in the space of the last ten years to the credit of the Criminal Investigation department, there stand only the Benares Conspiracy Case and the Kakori Train Dacoity Case, and it is over this stupidity that lakhs are spent every year. Now, if honourable members will turn to the budget estimate they will find that the Criminal Investigation department establishment consists of 54 executive subordinates. I should like to know how many of these are Criminal Investigation department reporters, and how many are engaged in the political branch, as distinct from other branches of the department.

[Babu Bhagwati Sahai Bedar.]

so that we may be in a position to know actual affairs. I looked through the budget very carefully for all these details, but failed to get them. I submit that the Criminal Investigation department is a mysterious department, and the Government do not wish to unravel the mystery. In my budget speech a few days ago I indicated to the Government the directions in which the Criminal Investigation department could be best utilized. I stated then, and I submit now, that it should be made the business of the Criminal Investigation department for some time to come to find out plots which in the end turn into communal riots. A case has happened very recently at Budaun, in which one Babu Lal Bahadur, mukhtar, is concerned and against whom a warrant is pending. He is to be found nowhere. In this connexion the house of one ex-M. L. C. of Bareilly, I mean Chaudhri Jai Narain, wakil, was searched. I do not know whether this was done under the orders of the provincial Criminal Investigation department or at the instance of some district officer. The case relates to Budaun, and the house was searched at Bareilly, and I wish to know under whose instructions this was done. I shall not multiply instances, since it is useless to mention them. I will, however, suggest that the attention of the Criminal Investigation department should be devoted more to the actual work of the department. It should try to find out cases of bribery and corruption which are going on in high services and in the Police department in the province. They should not set up conspiracies and harass people and go about spending money in travelling for no purpose, but they should try to find out in what way they should manage things which will result in the happiness of the masses. I will, therefore, request the Hon'ble the Home Member to manage the affairs more wisely and efficiently lest his Anglo-Hindu-Muslim Alliance Company should collapse just as Prince Shahjahan rebelled against his father over the doings of Nurjahan.

خدا رکھے تم ہی تم ہو نظر بہتر ہی عالم کی

**Babu Uma Shankar :** I have got a motion in my name also, but instead of moving my own motion I will speak on the present motion.

From the report which has been presented to the House I gather that there are several branches in the Police department, so I do not see the necessity of the Criminal Investigation department branch, nor am I aware what its business is. It appears from the report that there is the executive force or the civil force. Then there is the special dacoity police. Further, there is special cattle theft police force, and there is also railway police force. I gather from page 2 of the Police Report, 1925, which says: "Anti-Government agitation of the kind which necessitates police interference has now subsided to such an extent as to be almost negligible." In the same paragraph the Inspector-General goes on to say about the Kakori dacoity case: "The trial in this case has for the time being given a severe set-back to the forces of revolution." There is thus a fall in every class of crime. When, however, I see the budget I find quite a different thing. In 1913-14 the amount budgeted was about 2.21 lakhs, but in 1927-28 it is about 3.52 lakhs, that is, it is more than 1.31 lakhs from what it was in 1913-14. When, according to the report of the Inspector-General, there is no anti-Government propaganda which is worth mentioning, when there is a fall in every class of crime, and when the Kakori dacoity case has almost come to an end, I do not see any reason

why there should be such an increase in the budget of the Police department. In the year 1922-23 the budget provision was for Rs. 2.81 lakhs and I think there could be some justification for it, as the non-co-operation movement was at its height. When the anti-Government propaganda has now subsided I do not understand why there is an increase of Rs. 71,000 as compared with the year 1922-23. I do not find that the Criminal Investigation department have done anything worth mentioning in 1926. In 1925, it is said, that they traced a murder case; but that case was conducted in 1924, and its mention in 1925 was not necessary. In 1925 there were two cases worth mentioning, namely, the Kakori dacoity case and the Aligarh double murder case. Besides these, the Criminal Investigation department have not mentioned any case of special importance; while there are cases in which the Criminal Investigation department have totally failed, for instance there was a double murder case of two minor Hindu boys in Fatehpur in which they failed to trace the real murderer although investigation went on for six months. There was also a murder case of a zamindar's son, perhaps of a Sahu family in Farrukhabad, in which the Criminal Investigation department failed to detect the real offender. There was also a case of which mention has been made in the report, namely, the Yadgar case in the Fatehpur district, in which two persons, Saiyid Ali and Shoo Dayal, were challaned simply at the instance of the Criminal Investigation department, though falsely, as they were subsequently acquitted by the Sessions Judge. These are the achievements of the Criminal Investigation department in 1925. In 1926, in my own district, one honorary magistrate, named Subedar Gajadhar Prasad, was murdered in August last. In this case, too, the Criminal Investigation department failed to detect the real murderer. Considering all these things I think that the Criminal Investigation department are not doing what they ought to do, or, it may be, that there are not capable men in the Criminal Investigation department. If the Criminal Investigation department is to be maintained and is to work successfully, I think there ought to be men of experience and of special knowledge of this department. It may be mentioned, that in the Yadgar case several persons, were caught hold of. Some of them were identified by several persons and some of them were identified even by the so-called approvers, but they were let off by the police; while the above named two persons; who were identified only by two men, were challaned. This was brought to the notice of the District Magistrate and the trying Judge, but nobody cared to go into the facts. I, therefore, wish to bring it to the notice of the Hon'ble the Home Member to kindly summon the record and see it.

Considering that there is no anti-Government propaganda going on, I wish to make a few suggestions, namely that the energies of the Criminal Investigation department should be diverted to the corruption which is prevailing in the courts, and especially in the Police department. The Hon'ble the Home Member yesterday said that there are black sheep everywhere. I admit that it is so. The Hon'ble the Chief Justice found some black sheep, and some of them were either forced to resign or had to leave the service on account of this corruption. But has the Criminal Investigation department detected any black sheep in the Police? During the last four years I do not find any mention about it in the police reports. When I find that the Criminal Investigation department has not got so many cases or so many achievements, then the only work which is left to the Criminal Investigation department, I think, is the watching of

[Babu Uma Shankar.]

the movements and activities of persons whose sincere desire is to serve their mother country, and that, also, at the expense of the tax-payer whose condition they want to improve. The Criminal Investigation department watches the movements of so high a personage as Mahatma Gandhi. Wherever he goes out telegrams run and his movements are watched. Therefore as the department is under the control of the Hon'ble Home Member, who is an Indian Nawab, I will request him to divert the attention of the Criminal Investigation department towards communal riots and corruption prevailing in courts and the Police instead of centering it towards watching the movements of persons who have got love for their motherland. The work of the Criminal Investigation department should not be to *crush Indian development*.

**Pandit Govind Ballabh Pant :** I do not desire to inflict a speech. I have only to put a few questions to the Hon'ble Home Member, and I hope he will be pleased to oblige me by replying to them. Yesterday he was pleased to observe that nobody was being shadowed for his political activities, and he was pleased to remark that if any cases were brought to his notice he would see that such activities of the Criminal Investigation department were put an end to. There was at least one case which was mentioned directly by the member concerned in the course of his speech yesterday, I mean the honourable member for Cawnpore; and I want to know whether the Government will issue orders in case he is being shadowed to put an end to that practice or malpractice of the Criminal Investigation department. Honourable members of this House are certainly entitled to claim protection. But, apart from protection, it is a question of natural right of a person that when he has been elected as a representative of the people he should have unfettered liberty to deal with public affairs. The second question that I want to put is this. The Inspector General told us, in reply to the statement made by Shri Ganesh Shankar Vidyarthi that the boys who went to Orai were shadowed on account of information given by a certain person which indicated that they were going there for the purpose of committing dacoity. I want to know that when that information was found to be false what action was taken against that informer. I also want to know what action was taken by the department against the man who proceeded against those boys on the basis of such information which was found to be altogether baseless and incorrect. The third thing that I want to know is that the Government has said that there are black sheep in the Criminal Investigation department, too, as they are everywhere. I congratulate them for their candid courage in the matter. But what I want to know is whether they have been shocked by the number of cases of deliberate rascality in the Criminal Investigation department to the extent to which the judges of the High Court have been shocked by such cases in the judiciary of these provinces. In case they have not been, whether it is because the Criminal Investigation department is cleaner in its behaviour than the Judicial department, or because they are more indifferent than the judges of the High Court. In case they have been shocked by the number of cases I would like to know the nature of the offence committed, the status of the criminals and the sentences imposed by the Government.

The next question that I want to put is regarding the case known as the Kakori Conspiracy Case. As the Government is aware, a number of

respectable men were arrested, but they were not put up for trial, they were discharged by the counsel or by the investigating or prosecuting staff. I thank them for that, but I want to know why they were arrested, and whether the information against them was or was not sufficient. Naturally, we presume that there was not sufficient evidence which could have resulted in their conviction, and that was the reason why they were discharged. In case there was sufficient information which could have resulted in their conviction for anarchical crime I think the Government has committed a most serious and grave breach of law in letting them off in spite of conclusive proof. I also admit that there can be occasions when ordinary people like myself may be arrested, but I would like to know whether the Government takes any action against those who give information and, when the information is found to be false, whether the Government took any action against those officers who proceeded against these individuals in the absence of satisfactory evidence.

**Lient. Raja Durga Narayan Singh:** There is a very important point left in this connexion for the consideration of the Inspector-General of Police. We members are all aware that in each and every district certain agencies exist to kidnap girls and boys and to take them away from one district to another or to another province. From the report I find that only four such cases were taken up by the Criminal Investigation department. I think it is fair for the Government to see in this connexion that something is done, because these poor boys and girls are simply persuaded away by other persons and they do not know what they are doing. They are sold, and they have to lead a life of slavery. We all know that in Nepal slavery has been abolished, and I think it is for the good of this province, too, that this system of slavery should be abolished here.

**Mr. Mukandi Lal:** With a view to elucidating some information from the Police department I would like to make a few observations. From the phrase Criminal Investigation department we mean the department concerned with the investigation of crimes and prevention of crimes. But the public thinks that the Criminal Investigation department's business at present seems to be to shadow political suspects. Now, only yesterday the Inspector-General of Police had been pleased to say, when a case was pointed out to him, that a certain gentleman, who once upon a time was a ruler of an Indian State but is now residing as private citizen in Dehra Dun, wrote to the District Magistrate and complained that his life was in danger; that the Criminal Investigation department is not concerned with the protection of private individuals. I am afraid, Sir, that if one day you happened to complain to the Inspector-General that your life was in danger, or one day, perhaps, a Minister complained that he was shadowed or harassed, the Inspector-General would give him the same reply. So I would like to know what exactly is the duty of the Criminal Investigation department? Then, if political suspects and politicians are not followed and watched, how is it that, according to his report in 1924, 37,258 persons were under surveillance and in 1925, 42,287? I would like to know whether political suspects are under surveillance, or whether only criminal tribes, or only habitual criminals are under surveillance. My other complaint is what is the form in which the Inspector-General of Police would like the politicians to approach him and put their complaints before him? It has been pointed out in this House by various honourable members that they, at one time or another, have

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been watched. Even the Members of Council have been and are being shadowed by the Criminal Investigation department. At this the Inspector-General says that he would like to have specific complaints. I would like to know whether he would like an eight-anna stamp to be affixed on the complaint, or whether he would like it to be submitted in a regular and proper form as is presented to a magistrate, or does he want information to be conveyed to him outside this House? Another point which I would like to impress upon him is whether there have been any cases in which the Criminal Investigation department have investigated the offences against the officers belonging to the Criminal Investigation department or to the Police department? Has any kotwal or inspector been watched, or his conduct investigated or looked into? Or, if it has, how many, as a result of the Criminal Investigation department inquiries, have been convicted or prosecuted? How many magistrates have been found guilty by the Criminal Investigation department? If it has not been done, then the only conclusion to which we can arrive is that the Criminal Investigation department exists particularly to shadow, watch and follow and harass the political suspects and the politicians, because they belong, from Government point of view, to a very unpleasant species of human beings in this country. I may point out, as it was pointed out by my friend Mr. Bedar, that the Criminal Investigation department is the favourite subject of this House, and I may as well say that we have been infected by the Criminal Investigation department, and we also look upon the activities of the police with suspicion—as a matter of fact, on every Government servant we look with suspicion, and we also make secret inquiries as to why we are being followed by them. I take it the primary duty of the Criminal Investigation department is to prevent crime and criminal propensities, and we could very well welcome a department like that. So far as we Indians are concerned we have had, even at the time of Buddha, a regular system of Criminal Investigation department in which not only men were employed, but even women were employed in the form of *sanyasis*. Therefore, if the function of the Criminal Investigation department is performed in the right manner, I think it will be the most popular department in this House, and I hope the Inspector-General of Police will come up in the next Council with a list of cases of investigation of corruption that are found or alleged against the Police department; and I think he would have rendered a great service to these provinces if he does so. Unfortunately, in this House we cannot make allegations, but I am prepared to cite cases in which direct and definite charges have been made against the police. I can assure him that we are not prompted by any antagonism against the police or the Criminal Investigation department. We can assure him that, so far as this House is concerned, I am fully convinced that the Police department, if it renders the right sort of service to society, will be a most useful institution.

**Khan Bahadur Maulvi Fasih-ud-din :** I am rather tempted to interfere in the debate at this stage. There is absolutely no doubt that the Criminal Investigation department is one of the most essential and one of the most useful departments in the police, and I am sure that the Criminal Investigation department has worked out many important cases not only the Kakori case, but several other cases, within my experience.



It has not only worked out the cases which have seen the light of day, but also cases which have not seen the light of day and which were worked out in conjunction with the district police. At the same time I must confess that the Criminal Investigation department cannot be defended from a purely moral point of view for the simple reason that morality and secrecy cannot go hand in hand together, and one of the greatest principles of the life of the late Sir Saiyid was that he kept no secret in his life. Anyhow, the Criminal Investigation department is a necessity considering the exigencies of the times, and I am sure that it will improve itself still further. I do agree with many of the Members of this Council that the Criminal Investigation department has been giving worry to several workers in the national field. But I had a private talk with a late Inspector-General of Police on this subject, and he assured me that he was trying to check this evil with a strong hand, and I hope that the present Inspector-General is inclined that way. The chief objection that I have against the Criminal Investigation department is about a certain point which is the chief root of the whole evil, and which, according to the theory of the police, goes to the credit of the Criminal Investigation department. It is this, that the Criminal Investigation department works almost invariably in unison with the district police and, in doing so, it naturally protects the district police, covers their faults, and some times even goes so far as to gloss over their corruption. That is my personal experience. A certain boy got a bad wound on his lips; the anxious mother said to the doctor: "Doctor, I know that the wound will be cured, but it will leave a scar." The boy shouted out: "Oh! my moustaches will cover that scar." So I think that the Criminal Investigation department acts as a sort of moustaches for the scars of the district police. When the Criminal Investigation department has to find out and trace out the offences of the members of the public there is absolutely no reason why it should not do so in the case of the offences committed by the district police. It should be thoroughly independent of the district police, and there should be no *esprit de corps* between the two departments. If that rule is followed the Criminal Investigation department becomes thoroughly independent of the district police and acts independently, and it also becomes independent of the local politics of the district magistrate and of the superintendent of police. I am sure in this manner the morale of this section of the department of police will be considerably improved.

I have nothing more to say.

[Mr. R. J. S. Dodd wanted to speak, and the Hon'ble the President told him that he had already had a chance of speaking on this particular motion yesterday. However, the Hon'ble the President allowed him to speak again as a special case, as so many other members had raised new points about his department.]

**Mr. R. J. S. Dodd:** I am not a political tactician. I was under the impression when the Council broke up yesterday that we had finished with the Criminal Investigation department, and, much to my surprise, I found this morning that there was still to be further discussion on the Criminal Investigation department, and I thank you, Sir, for giving me this opportunity of making a brief reply to some points raised by honourable members. I thought I had given in my last speech all the information that was required from me. I said that nobody was shadowed by the

[Mr. R. J. S. Dodd.]

Criminal Investigation department on account of his political activities. I repeat that. I have nothing more to say on that point except that if any member of this House has any complaint and if he will bring it to our notice, we will look into it. The special branch of the Criminal Investigation department which is criticized is a small portion of the whole. I am not in a position to say anything more, but I have always insisted that the main activities of the Criminal Investigation department are on the criminal line, and, if I had been aware of the fact that the debate on this head would continue this morning, I should have brought down some notes which I had had prepared and which were with me yesterday but which I now cannot draw upon for the benefit of the House. I am afraid I am unable to answer the points raised by the honourable member for Fatehpur regarding failures. As a matter of fact, as far as I know one of those cases he mentioned—a murder—is not a failure and is still under investigation; and, in the case in which he referred to the acquittal of two persons in a dacoity case, as far as I recollect, some persons were also convicted, and, if some people are convicted and some are acquitted, you can hardly call the case as a failure. As regards what has been described as the deliberate rascality of the Criminal Investigation department I have never had such a case brought to my notice in my time, and certainly my predecessor had no such cases brought to his notice in his time, and, until a definite case is put before me or my officers, it is impossible for me to believe that there is deliberate rascality in the Criminal Investigation department merely on the bare assertion of other people that it exists. I must have facts.

As regards the question of bribery, I think two honourable members said that the Criminal Investigation department could do more in the investigation of bribery cases. Now they have done a good deal in the investigation of bribery cases. In fact those cases which were initiated by the Hon'ble Chief Justice were worked out by Criminal Investigation department officers. As regards the accusation that Criminal Investigation department make no inquiry about their brother officers, I do not think you could expect one Criminal Investigation department officer to start an inquiry about his brother officer of the Criminal Investigation department unless he got a definite complaint and a definite order to do so, and, as I have said, no instance of "deliberate rascality" has been brought to our notice and therefore no occasion has arisen for taking such action. As regards other officers in the police there have been at least two cases this year in which the Criminal Investigation department have taken up inquiries and the result in one case is well known; it was published in all the newspapers at the time. And to the other case I need not make any further reference because we had to stop the inquiry as the officer died.

One point was raised by Mr. Mukandi Lal regarding, I think, 88 thousand persons being under surveillance. Those are not revolutionary or political persons at all; they are criminals in the ordinary sense.

The honourable member for Pilibhit said that the Criminal Investigation department always defend the district police. I wish that were so, but I am afraid the relations between the Criminal Investigation department and the district police are not always as good as they might be though, as a matter of fact, there has been very considerable improvement in this respect, but there is always a chance of clash of interests. They do not defend one another as a rule nor do they conceal one another's shortcomings.

**Babu Kavendra Narayana Singh:** I tender my thanks to the Hon'ble the Home Member for offering me congratulations yesterday afternoon and I am obliged to him for the promise that he made regarding the consideration of my points. Though not quite conversant with the ways and manners of the Council, I think the cut that I introduced proved of immense worth. It at least brought to light many side issues, and, in face of those I think I shall be doing injustice to the House and to my fellow colleagues if I withdraw it at this stage. I would, therefore, like to press the token cut.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I have got nothing to add to what has fallen from the Inspector General of Police.

**The Hon'ble the President:** I take it that the issue before the House would be a dissatisfaction with the working of the C. I. D.

**Several honourable members:** Yes, Sir.

**The Hon'ble the President:** That being the issue before the House the question is that a reduction of Rs. 10 under "B.—Criminal Investigation department" be made.

*The question was put and the Council divided as below:—Ayes. 39; Noes, 42.*

*Ayes.*

Shri Ganesh Shankar Vidyarthi.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Thakur Hukum Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Lieut. Raja Durga Narayan Singh.  
Pandit Decta Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.

Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Maulvi Zakur-ud-din.  
Nawabzada Muhammad Liaquat Ali Khan.  
Khan Bahadur Saiyid Jafar Hussain.  
Khawaja Khalil Ahmad Shah.  
Chaudhri Niamat Ullah.  
Rai Bahadur Lalai Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakish Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.

Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. M. Ahmad Shah.  
Rai Bahadur Lala Shyam Sundar Lal.  
Thakur Pratap Bhan Singh.  
Lieut. Raja Kali Charan Misra.  
Rao Sahib Kunwar Sardar Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Rai Bahadur Babu Mohan Lal.  
Haji Abdul Qayum.  
Saiyid Tufail Ahmad.  
Lieut. Nawab Jamshed Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Ambe Prasad.  
Mr. E. M. Souter.

**Pandit Govind Ballabh Pant:** I beg to move a substantive reduction by Rs. 5,000 of item concerning Pay of Officers Rs. 1,73,820.

If honourable members will look at the figures on page 40 they will find that the allotment on account of pay of officers in the budget for the next year is apparently Rs. 8,27,000, while the actual expenditure for the current year is estimated at about Rs. 8,19,000 in the revised estimate for 1926-27. That shows an apparent increase of Rs. 8,000, but in fact the increase under this head comes to more than Rs. 20,000, and I will just explain why I say so. Honourable members may have noticed in the memorandum of the Finance Secretary that Rs. 8,000 which were included under this head last year had been transferred to "Works" on account of the pay of the engineer attached to the Police department. I am reading from page 29 of the memorandum, head "Works," the last sentence :—

"There is a new item, 'other charges,' of 3, voted and 13, non-voted representing the charges of the engineer officer which have been transferred to this head from A—Superintendence."

There is at least a reduction of one deputy superintendent of police as you will see that the number has been reduced from 33 to 32, and that man used to do agency work for which this Government had practically not to pay him, so that there is an addition of eight thousand on this account and there is an apparent increase of Rs. 8,000, while the number of deputy superintendents has been reduced from 33 to 32 which should be responsible at least for a saving of about ten thousand. So I submit that while there should have been a reduction in the expenditure to the tune of ten thousand there is actually an increase to the extent of eight thousand.

There is another point, and that, too, I may bring to the notice of the honourable members of this House. They may have noticed that in the year 1926-27 at least fifteen of these posts were apparently votable and only 82 were non-votable, but during the next year the entire cadre of 97 is to consist of non-votable items only, which means that the number of Indian officers in actual charge is to be reduced.

There is one other point in this connexion, and that, too, I may bring to the notice of the honourable members of this House. It is about the appointment of a special officer in charge of the cattle-theft police. I think Mr. Clouston has been appointed as such, and his pay comes to about a thousand rupees a month. It seems to me a very risky job so far as this is concerned. The Government has acquired the habit of appointing persons temporarily in charge of special departments of police; those temporary posts are made permanent after a short time and thus they become a part of the integral police force. In that way a recurring charge is levied on the provincial finances from year to year. At first we had the dacoity police and now we have the cattle-theft police, and next year we may have burglary police, and then police dealing with offences against persons, and police dealing with offences against property, and so on. I think it is time for the Council to consider very carefully this process which is being adopted by the Government to multiply this specialization of the various departments of the police. I think we should put an end to this fissiparous tendency. On these grounds I would ask the Council to make a very large cut, but in order to keep within bounds I have moved a cut of only Rs. 5,000. I may also say that these financial omissions do not in any way affect the policy of the department to a large extent, and

the honourable members who are in this House are expected to see carefully to the expenditure of every pie, so that the tax-payer gets full value for the money he pays.

**Mr. R. J. S. Dodd :** As far as the figures are concerned, I think if the honourable member will turn to the note which I issued he will find there is no real increase, in fact there is a considerable reduction on the budget estimate for previous years. I do not think I need deal with the case of the special buildings officer. I understand the honourable member realized during the course of his speech that this officer was not included here, but under "superintendence" last year. As regards these temporary posts, and I think this is the real point of the honourable members objection, i.e., he objects to expenditure on the three posts we have at present which are temporary and which the honourable member fears may become permanent. These are the two posts in the special dacoity police and one in the cattle-theft police. As regards the latter I understand, I was not present at the time, that in the general budget debate one honourable member said that the special cattle theft police were doing extraordinarily good work. It is probable we shall have to discuss the question of this force later on in this debate, but I understand there is no real objection to the appointment of this force, and it was realized by members of the Council that it is doing good work. But there is no intention on my part of making this post permanent. I hope within twelve months that it will be possible to take the superintendent off this duty. I may ask for another officer of lower rank to continue the work, and I may ask for the post to remain on for a longer period. I give no guarantee beyond saying that I have no intention of making this post permanent. As regards the special dacoity police there, too, we have no intention of asking for the posts to be made permanent. We hope and trust that when the special dacoity police have done their work possibly within the next two or three years that it will be possible to disband them and absorb this special force in the ordinary force. I hope this will satisfy the honourable member with regard to these three temporary posts.

**Mr. E. A. H. Blunt :** I feel a little puzzled by the manner in which the honourable member for Naini Tal dealt with these figures. If honourable members will look at page 40 they will see that in 1925-26 the whole cost under this particular head was Rs. 8,67,000. Last year we budgeted for Rs. 8,64,000. This year we only budget for Rs. 8,27,000, so that there is a considerable reduction there. I presume he has compared it with the revised, which is only Rs. 8,19,000. But the distribution of the figures shows exactly what has happened. The non-voted has gone down and the voted has gone up. Non-voted officers have taken leave this year in larger numbers than was expected, and voted officers have taken their place. But that may not occur next year. This figure is worked out according to the number of officers whom we know to be going on leave, and therefore is adequate to meet our requirements as we know them now. If the House reduces it, then it amounts to nothing less than gambling on the chance that other officers will fall ill and have to take leave.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As far as the financial position is concerned it has been explained by the Finance Secretary, and I believe it has been explained to the satisfaction of my

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

friend the leader of the Swaraj party. The honourable member expressed his fear that these temporary posts of the men in charge of the cattle-theft police and of the special dacoity police may not be made permanent. I beg to assure the House that there is not the slightest intention on the part of the Government to make any of these posts permanent. What I am looking forward to is that in a short period they will be able to finish their work and then we will be in a position to abolish them. Therefore, as far as this fear is concerned, there is no foundation for it and there is nothing to fear on that account. The motion was put and negatived.

*The motion was put and negatived.*

**Rai Bahadur Babu Vikramajit Singh :** I would like to substitute two lakhs in place of the three lakhs in my motion. I move a substantive reduction of two lakhs in the item concerning executive subordinates, page 40 of the detailed estimates, under sub-head (c). District executive force, pay of establishment.

If honourable members will turn to page 40 of the detailed estimates they will find under district executive force, under the head of Pay of Establishment, as against the item executive subordinates, a sum of Rs. 26,07,000 provided. This item includes inspectors as well as the sub-inspectors. The number given here for 1927-28 is Rs. 2,135. The number of inspectors is not mentioned under this head, but if they will look at the report of the administration of the police of the United Provinces for the year 1925-26 they will find (page 26A, statement D) the number of the inspectors given is 216, and the number of sub-inspectors is 1,959. There seems to be some discrepancy between these two figures given in the detailed estimates and those given in this report. According to this report the total number will come to 2,175, while according to the detailed estimates the number would be 2,135. The Government may be able to explain that. So that honourable members will see that the total number of inspectors is 216. This includes prosecuting inspectors, reserve inspectors, and circle inspectors. My motion does not relate to the prosecuting inspectors or the reserve inspectors. It only deals with the circle inspectors. (A voice: "Indians"). Yes, Indians. My honourable friend who has interrupted me thinks that one should not speak for economy wherever Indians are concerned. But I have not seen him moving wherever Europeans were concerned. (A voice: "He is a No-changer.") However, honourable members will look at this question on its merits; they should not import into it the question of race. The question is whether we really want circle inspectors in the Police department. Sir, I think that an intermediate officer between the sub-inspector and the deputy superintendent of police or the assistant superintendent or the superintendent is not wanted. We have got a station officer to do the investigation work. Supervision can be done either by the superintendent of police or by his trusted subordinates, the assistant superintendent or the deputy superintendent of police. We do not want another agency between the person who actually conducts the investigation and the supervising agency. On this point I shall refer honourable members to the Economy Committee Report at p. 90. On the question of inspectors the Committee say:—"In our letter of August 21, 1923, we have stated our opinion that there might be a larger reduction in the number of circle inspectors than that of 39 posts

recommended by the Police Decentralization Committee. We have further examined the position. If the inspector's duties are, as is proposed, strictly confined to investigation, and, if the Deputy Inspector-General of the range has power to post inspectors within his range according to the requirements from time to time of each district, we think that the number of inspectors can be reduced to 61. This total will provide one inspector for each district and a second inspector for the following districts"—then the names of the districts are given—Meerut, Agra, Bareilly, Cawnpore, Allahabad, Jhansi, Benares, Mirzapur, Gorakhpur, Basti, Azamgarh, Lucknow, Sitapur, Hardoi, and Fyzabad. Then in the letter which was sent by the Secretary of the Economy Committee to the Secretary to Government, at page 92, it was stated:—"The Committee accept in principle Chapter III of the report and agree that at least 39 posts of circle inspectors should be abolished. In the limited time at their disposal they could not examine the case of individual districts; detailed inquiry might have enabled them to suggest that for the duties indicated in the report a smaller number of inspectors should suffice."

I understand that Government abolished, on the recommendation of the Decentralization Committee and the Economy Committee, 39 posts in the grade of circle inspectors. But the question still remains whether we require inspectors at all or whether any further reduction in the number of posts is desirable. I am informed that out of 216 inspectors there are 82 circle inspectors; and, working at an average of Rs. 250, the cost would come to Rs. 2,46,000. I have left the figure Rs. 46,000 in the budget, and I have moved a reduction of Rs. 2 lakhs. Now, the question is whether the retention of circle inspectors is at all necessary either in the interest of efficiency or in the interest of administration. There are two kinds of work which a circle inspector is expected to do—(1) investigation, and (2) inspection. With regard to investigation work, my own experience as a lawyer, with thirty years' experience on the criminal side, is that very little, if any, of this work is actually done by a circle inspector. The investigation work is generally done by the station officer. All that the circle inspector does is that when an investigation has been taken in hand he steps in three or four days later with a view to verify the statements of witnesses which have already been recorded by the police. This, then, is one of the important duties of a circle inspector. I submit that a circle inspector is hardly wanted for this kind of work, because otherwise it implies that sub-inspectors, who are actually the investigating officers, are either not doing their duties properly or are not to be trusted to do the investigation work. The work of sub-inspectors is supervised either by the superintendent of police himself or by one of the deputy or assistant superintendents of police. It will, therefore, appear that a circle inspector for the purpose of investigation work is not a necessity. Now, I take the second duty of a circle inspector, namely, inspection work. This duty, I submit, ought to be performed by an officer of a higher grade, for example, the superintendent of police or the assistant or deputy superintendent of police. The inspectors, who are drawn from the same class as the sub-inspectors, cannot be expected to independently criticize the work of the latter, nor is it possible that their criticism will at all conduce to improve the work of a station officer. In the circumstances I think that the post of circle inspector can be abolished. When I say so I am not voicing my own individual opinion, but it is the considered opinion

[Rai Bahadur Babu Vikramajit Singh.]

of the members of this House, and even of the Hon'ble Home Member, when he did not belong to the official benches. He was of the same opinion as I am expressing. It has been considered undesirable to have the circle inspector inasmuch as it is found that when he visits the thanas or police stations he is entertained by the sub-inspector and his staff, and this, indeed, is very demoralizing. In many cases it is known that they establish a kind of fund for the entertainment of circle inspectors. Let me here quote to the Council what the Hon'ble Home Member said on the point in 1922. He said :—"These inspectors generally do very little real work, and their duties are more illusory than real. It is thought that they supervise the work of sub-inspectors and also help them in the investigation of difficult cases. I do not think that it is a true impression; but the impression at large is that, instead of giving any help to the sub-inspector, they are the honoured guests, travelling from one circle to another and doing very little real work." This impression has been deepened and strengthened greatly since Mr. Sharpe in his report suggested the abolition of inspectors, and Sir William Marris gave a favourable consideration to it while he was acting as Inspector General of Police in these provinces." When the Inspector General gave a reply and tried to contradict some of the facts given by the Hon'ble Nawab Sahib the Nawab Sahib reiterated his views on page 181. He said :—"I wish to deal with only one thing which he (the Inspector General) said in his speech. He said :—"Perhaps the circle inspectors are the honoured guests of zamindars." As far as the poor zamindars are concerned, every Government official from the Inspector-General of Police down to the constable, when he comes to our house, is our honoured guest. What I meant to say was that he is the honoured guest of the sub-inspector, and that is, I think, the worst thing."

So that the observations that I have placed before the House to-day are very strongly supported and corroborated by the opinion of the Hon'ble Home Member when he could form an independent opinion for himself. I do not think that he will refuse to stick to his former views. I hope he will be true to himself and true to the views which he held before he assumed the charge of the Home Membership. If in his opinion the retention of the inspectors is unnecessary from the administrative point of view and is also harmful from other points of view, I do not see why he should hesitate to accept my motion which is in absolute conformity with his own views. I do not think it is necessary for me to say anything further. I commend my motion to the House, and I hope the House and the Hon'ble Home Member will accept it.

**Saiyid Habib-ullah:** It is my misfortune that even in this House I have to oppose my honourable friend, Rai Bahadur Babu Vikramajit Singh Sahib. We both belong to Cawnpore, and even there we have sometimes to oppose each other.

My learned friend relies upon some observations which were made by a hasty-tempered member some years ago. I am sure six years' experience has taught him better. Probably he had then no experience of the circle inspectors then except as a rasad supplier from the Lieutenant-Governor down to the ordinary chaukidar. My submission before the House is that they must not be misled by certain observations of the



Hon'ble Home Member which were made by him some years ago. I do not regard his observations as the ruling of their Lordships of the Privy Council.

As far as entertainments go, I think that when Mr. Chintamani visited Cawnpore as Minister of Education the Rai Bahadur Sahib was the first person to entertain him at a big garden party which I also had the honour to attend. I do not think that there is any serious objection to such entertainments. It is only showing an ordinary courtesy. When a *duster-khan* is spread and any person happens to come we say to him :—" Won't you join us"? I do not, therefore, think these entertainments have any serious effect. I will now come to the real point. Does my honourable friend think that the circle inspector is only to perform the duties of investigation and inspection? I submit that it is not the case. For instance, if there is an appointment of a mukhia to be made and the tahsildar favours one man, the Sub-Divisional Officer a second, and the thanadar a third, or if there is a quarrel in the thana among the police officials, it is the circle inspector who is deputed to make inquiries and report as to what his opinion is. He has got an intimate knowledge of the inner working of the thana, and he is the best man for the purpose and certainly not the assistant or deputy superintendent of police. My learned friend says that everything should be left to the assistant or deputy superintendent of police. I submit that these are not the men who will travel 60, 70 or 80 miles in the rainy weather to go out and make inquiries. They will require a staff and a peshkhema to be sent beforehand. They will never be able to complete the journey in such a short time as is really necessary. My friend says that when an investigation is going on the circle inspector goes three or four days after. I have got experience of 42 years, both as a magistrate and as a lawyer, and I say that in many cases where innocent persons might have been challaned by the thanadar the circle inspectors stepped in just in time and saved them. I submit that if Rs. 2 lakhs out of 162 lakhs are spent on circle inspectors it does not matter. If, however, the honourable member can place the Sewa Samiti at the disposal of Government I would not object if the whole demand under police is cut and would say that the whole police force should be disbanded.

With these observations I am of opinion that the post of circle inspector should not be abolished.

**The Hon'ble the President :** I am sure that the House has witnessed an interesting duel between two honourable members from Cawnpore, one claiming 30 years' experience and the other claiming 42 years' experience. I wonder if more honourable members will take an active part in this duel. But I should like to point out that it is ten minutes to one, and we are still discussing motion No. 29. Under the police demand there are 113 motions of which notice has been given, and besides this there is Industries, Forest and Registration for disposal. The guillotine is awaiting us at 5 o'clock to-day. The question has been discussed threadbare several times before and we have heard all the pros and cons. I do not think, therefore, that any more discussion is required. I would however ask honourable members whether they would like to prolong the discussion or cut it short.

**Mr. R. J. S. Dodd :** After what you have just said my speech will be very brief. This question was threshed out last year in a discussion

[Mr. R. J. S. Dodd.]

which lasted I believe for about an hour and-a-half, but I should like to make the position of the Police department clear on the point of inspectors. The deputy superintendents were first appointed in 1905, and they were appointed to perform exactly the same functions as the assistant superintendent of police. This officer is in a quite different category from the inspectors. The inspector we have always had, and I hope we shall always have. The question was threshed out fully by a committee who went into the subject far more closely than can be done by any one who is not closely connected with the police department. That was the Civil Police Committee which sat in 1920. There was only one member of this House on that committee besides myself, and that is the honourable member on my right. He will bear me out when I say that whatever doubts there may have been at the outset not only the official members but the non-official members of the committee were in the end firmly convinced of the necessity for the retention of circle inspectors. I will not take up the time of the House any longer, but I will only quote what the committee said in giving their decision, and that was a unanimous decision. They said: "They consider that they have shown that the circle inspector fills an indispensable place in the police administration, and that he must be retained."

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I shall be as brief as I can. I have been quoted by my honourable friend the member for the Chamber of Commerce. Here is my speech. First of all, I beg to submit, Sir, that everybody will admit that in one's official capacity sometimes such information is available which is not available to a non-official member. Therefore, it is but natural that the opinion formed in the absence of such facts and figures which are now available may undergo a change. Besides this, when I read my speech rather carefully I found that I had not committed myself to all those things which I was alleged to have committed. I said: "It is thought." (I used the passive voice) "It is thought that they supervise the work of sub-inspectors and also help them in the investigation of difficult cases." Then I said: "I do not say that it is a true impression, but the impression at large is that instead of giving any help to the sub-inspectors they are their honoured guests." I only mentioned what was the popular opinion then about the inspectors. However, I do not want to claim that my opinion at that time was in favour of inspectors. I was not in favour of having them at that time. Since then, after taking over charge of this portfolio, I had discussions on different occasions with the Inspector General of Police and other officers of the Police department, and they assured me that they regard the circle inspector as a very necessary thing in the Police department. As honourable members are aware, the number of posts has already been reduced. There was one thing else which struck me just now regarding which I just consulted the Inspector-General. He agrees that it would be desirable to issue a circular that circle inspectors should not stay with inspectors when they are on tour. I think it would be a good thing, and I would take this fact into consideration.

As to the point raised by the honourable mover that there is no need of having circle inspectors, because after all the presence of circle inspector denotes that we do not think that our sub-inspectors are doing their duty. I beg to differ from him. My reason is that if we press this

thing to a logical conclusion it means that all supervising authority should be done away with. In the same way what is the use of having an audit authority because it means that the other departments whose accounts are audited are not doing their duty. Therefore do away with the audit department. In order to keep these sub-inspectors straight and to check corruption I think it is necessary that we must have a supervising authority.

**Rai Bahadur Babu Vikramajit Singh :** I am glad that the Hon'ble Home Member has said that, so far as his own personal opinion goes, he is against the retention of the inspector.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I was.

**Rai Bahadur Babu Vikramajit Singh :** He says he discussed this with the Inspector General of Police and other officers who assured him that these inspectors were necessary. I submit it will be very difficult to persuade either the Inspector General or any other police officer that certain other supervising officers were not needed. That has never been the experience of the Council that a member of the Government, especially the head of a department, has ever consented to a reduction of a post in his own department. The question then has to be discussed and decided on its own merits.

Now the only argument which the Hon'ble Home Member has advanced is that if we do not keep circle inspectors it would mean that we should do away with all supervising authorities. I never meant to say that all supervising authorities should be done away with. I very expressly drew the attention of the House to the fact that we had supervising authorities in the shape of superintendents of police, assistant superintendents, and the deputy superintendents. My friend, Mr. Habib-ullah, said that you cannot expect an assistant superintendent or a deputy superintendent to go in the rainy season a long distance when there will be lot of difficulties. That would imply that they were not prepared to do their duty. But I do not think that an officer of the police in the position of a deputy superintendent or an assistant superintendent would ever shirk responsibility, or would not like to go because of the rainy season or because the weather is too hot. I do not calculate a contingency of that nature at all. Therefore, I do not think that any sound argument has been advanced for the retention of the inspectors. The Economy Committee and the Decentralization Committee did recommend a large reduction. Of course, the Government could not see its way even to give effect to the recommendations of the Economy Committee. A certain reduction has been made. That implies that a number of the inspectors were considered to be superfluous even by the officers of the Government themselves. They thought that the number was too large. But I submit that if the retention of these inspectors was absolutely essential the Government would not have consented to their reduction. We have got the deputy superintendents and assistant superintendents to watch the work of the subordinate officers. Why should we have another agency for supervision at all?

Mr. Habib-ullah has said that if there is a dispute between the staff, or if there is a question of the appointment of a chaukidar, that would go before the inspector. I do not think that anyone would recommend the retention of an inspector for a matter like that, namely, the appointment

[Rai Bahadur Babu Vikramajit Singh ]  
of a chaukidar or for settlement of a dispute between two constables in a thana. That seems to me to be a very trivial matter, and several lakhs of rupees could not be spent on a staff merely for these trifles.

My friend Mr. Habib-ullah has put forward also his experience of 42 years, not however in the same line as mine, mostly in the service of the Government. But, he has not quoted any concrete or definite instance where the inspector set right the working of a sub-inspector. It is his impression that in cases where the sub-inspector had gone wrong the inspector had corrected him. But it is generally our experience that if the inspector making the investigation were to write down statements of witnesses which would go against the prosecution the circle inspector, coming later on would not, I think, be able to mend matters. That will not be helpful for the prosecution at all. I think that, looking to all these various facts, and to the fact that this question has been several times before the Council in the hope that it will be accepted by Government, the Council ought to record its definite opinion that it is not necessary to retain the circle inspectors as they are absolutely superfluous officers.

**Saiyid Habib-ullah:** My learned friend has told the House that I have not cited a concrete example.

**The Hon'ble the President:** I am afraid that is not a personal explanation. The honourable member will do me the justice of saying that so far on the subject of the abolition of circle inspectors, only one member has had his say for it as against three on the other.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I beg to lay before the House the opinion of certain eminent public men about the question of the retention of circle inspectors. First of all, in the Civil Police Committee an eminent lawyer—probably the most eminent lawyer of this province, Pandit Jagat Narayan—gave the opinion that the circle inspector should be maintained. Then there was a very strong Economy Committee, and that Committee recommended a reduction in the number of circle inspectors, but not the total abolition as recommended by the mover of this resolution. Sir, I beg to lay before the honourable members the names of those persons who were the members of the Economy Committee and then leave it to the House to decide for themselves what eminent personalities they were. There were on that committee Pandit Hirday Nath Kunzru, my friend Pandit Nanak Chand, Khan Bahadur Saiyid Jafar Husain, Nawab Muhammad Yusuf, and you, Sir, Rai Bahadur Lala Sita Ram.

**The Hon'ble the President:** I am afraid the Hon'ble Home Member is now raising a new point and giving temptation to other members to speak.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The only point that I wanted to put before the House was that some of the non-official members were of the opinion that the post of circle inspector may be retained.

The other point put before the House is that the allotment should be reduced by rupees two lakhs, which means that from the 1st of April, 1927, all the circle inspectors should be dismissed. Had this point been a question of policy it might have been moved in a token reduction to give

expression to the views of the House, but as it is a substantial reduction it is impossible to accept, and I hope the House will see that it is not practicable to pass such an amount under this head.

*The motion was put and negatived.*

**Lieut. Raja Durga Narayan Singh :** Instead of Rs. 30,000 I would like to substitute Rs. 10,000.

**The Hon'ble The President :** Very well.

**Lieut. Raja Durga Narayan Singh :** I beg to move a (substantive) reduction by Rs. 10,000 of the item concerning travelling allowance and honoraria (page 40 of the detailed estimates) under sub-head "C—District Executive Force." From the statement supplied to us we find that this amount for travelling allowance used to occur somewhere in the previous budgets, but this year on account of audit objection this amount has been shown under travelling allowance. From the explanation that has been supplied to us there is an increase of Rs. 71,000 under this whole head. So I have taken a very moderate cut of Rs. 10,000 instead of Rs. 30,000, and I hope the Hon'ble the Home Member will kindly accept this small cut.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** When we budget we carefully take into consideration the requirements of the department and the amount that has been provided is not excessive. We shall, however, to meet the wishes of the honourable mover, be prepared to reduce the amount by Rs. 5,000 if the honourable mover agrees to it, reserving full liberty to ourselves that, if later on we find that the amount is insufficient, we shall present a supplementary estimate.

**Mr. R. J. S. Dodd :** I beg to move that Rs. 5,000 be substituted for Rs. 10,000 in the motion moved by my honourable friend, Raja Durga Narayan Singh.

*No objection was raised to the moving of this amendment.  
The motion, as amended, was put and adopted.*

**Pandit Iqbal Narayan Gurtu :** I beg to move a (substantive) reduction by Rs. 50,000 of item concerning allowance and honoraria District police, District executive force.

As honourable members will see, this cut governs the whole sub-head of allowance and honoraria. The cut moved by the Raja Sahib of Thra, to which an amendment was moved by the Government, has been accepted by the House to the extent of Rs. 5,000. If I refer to it, it is not that I wish to repeat the arguments which have been raised for or against it, but in order to show how the Finance department over-budgets under these heads and how the Finance department fails in helping the Council with necessary figures in the detailed estimate. It has been stated in the explanatory note which has been circulated that the average annual expenditure on travelling allowances during the last three years has been Rs. 19,57,000 and odd. Now, Sir, there is nothing before us which will enable us to find out whether this average is correct or not. I tried in vain to look into the civil detailed estimates of the previous years. I find that, the actuals for 1924-25 are not given anywhere, nor are the actuals for 1925-26. The revised estimate column is also blank. I submit that, if this is the sort of budget that is to be placed before the Council, what is the good

[Pandit Iqbal Narayan Gurtu.]

of keeping up the farce of having these columns? Why not do away with them altogether? There is absolutely nothing to help the Council to find out what has been the actual expenditure under travelling allowance in the previous years. The Inspector General points out that note where the average annual expenditure is given as Rs. 10,57,000. This I have myself referred to a minute ago. There is no material at my disposal which will enable me to find out the correctness of this statement.

I pass on to another item "other allowances, except house rent." In the explanatory note it is stated that under "other allowances, excluding house rent," the provision has been increased by Rs. 7,194 on the figures of past actual expenditure. Now what is the past actual expenditure? I cannot find this out from the figures given in the detailed estimate. I know the statement has been made that it is based on past actual expenditure, but what I find from the figures at my disposal is that the actual expenditure in 1926-27 was Rs. 3,59,636. But what has to be noticed is that it was *with* house rent. "Other allowances with house rent" 3,59, while now in this budget the Government asks for 3,68, *without* house rent. Now, where is the item of house rent in this budget? If it is without house rent I am sure the rent has been included somewhere else. If so, my submission is that there should be a substantial reduction under this head, because house rent must have been shown somewhere else. I think we can very well have in this particular item alone a reduction of fifty thousand, as house rent has been excluded.

Then before I take up the "enlistment charges" I would draw the attention of honourable members to diet and travelling allowances to witnesses. Here, again, what do we find from the figures of past years? In 1924-25 it was eight thousand; in 1925-26, eight thousand; in 1926-27, seven thousand; in 1927-28, Government demands fourteen thousand. Now, Sir, unless the appetite of the witnesses has inordinately increased owing to the activities of the Public Health department, I cannot really understand how it is that when an amount of seven or eight thousand was considered sufficient in the previous years fourteen thousand is required this year. I submit that there can safely be a clear reduction of seven thousand under this head. Then I come to the "enlistment charges" and this reveals a very interesting state of affairs. Last year an honourable member had raised this point, and the Inspector General of Police gave a laconic official reply. Now, in the year 1921-22 honourable members will find that the amount put in the budget estimate by the Government was Rs. 22,000; honourable members will kindly see how the amount was over-budgeted; the revised estimate shown was Rs. 25,000; the actuals shown in the accounts were Rs. 14,167. Coming to the second year, 1922-23, in the budget estimate the Government demanded seventy thousand, a sudden leap from twenty-two thousand to seventy thousand; later there was a supplementary demand also of a little over four thousand, so that the complete demand for that year was nearly Rs. 75,000. The revised estimate was shown as seventy thousand, but the actuals shown later on are only Rs. 37,909. The actuals under this head suddenly drop from 74 to 37 thousand, but even this figure is not the figure which shows the actual expenditure under this head. The figure that the Inspector General gave us last year was thirty thousand only, so that while the figure that the Inspector General gave was Rs. 30,000, the figure in the accounts

is Rs. 37,000, and the demand of the Government was nearly Rs. 75,000. When you come to 1923-24 you find another demand of Rs. 70,000; the revised estimate shows Rs. 40,000; actuals I have not been able to trace out as they have been omitted from the detailed estimate. In the subsequent years we find that the Finance department has never supplied the figures of either the revised estimate or the actuals, and it is impossible for a non-official member to find out what has been the actual amount spent under this head from year to year. Fortunately, the Inspector General of Police in his remarks last year gave us the figures of actual expenditure in 1923-24. It reveals interesting facts. While the demand of the Government was for Rs. 70,000 the actual expenditure, according to the Inspector General, was only Rs. 22,000. I am only quoting his statement. Next year, i.e., in 1924-25, the demand of the Government was Rs. 57,000, while the actuals, according to the Inspector General, were only Rs. 41,000. So you see how there is a tendency to over-budget under such heads. We do not exactly know what is the actual expenditure over enlistment. From the figures that I have quoted there are also other interesting facts revealed. The Inspector General last year gave his reasons why the expenditure was increasing. He said that in the two years 1922-24 they have not been recruiting many people, but they have begun recruiting more men from 1924-25. Now, Sir, what is the figure of recruitment in the year 1924-25? 1,738 new constables were recruited, and for the recruitment of 1,738 constables, what is the amount spent? Forty one thousand. While in the year 1921-22, which the Inspector General carefully omitted to mention, something like 2,912 were recruited and the expenditure was only Rs. 14,167. So that the cost of recruitment per head in 1921-22 was only 4·8, while in 1923-24 it becomes 17·6 per head—only two years later. In 1924-25 it becomes 28·8. Thus in 1924, that is, only four years after, the cost of recruitment per head has increased from 4·8 per cent. to 23·8 per cent., more than five times. I should like to know how it is that the expenditure over enlistment per head has improved so considerably during only three or four years, and I should like to ask the Government why is it, when they find from actuals that the figure of expenditure over this head has never been very large, that they have been demanding year after year large amounts, and how is it that they want this year another increase of three thousand, viz., Rs. 43,000.

I hope, Sir, I have shown that there is sufficient room for economy under these heads. Under "travelling allowance" Government itself find it possible to bring about a certain amount of economy, though I am sorry that the amount has been reduced only by five thousand; but there are other heads where economy is possible. I have shown that under the second head, namely, "other allowances except house rent," the house rent has now been excluded and therefore the amount under this head should be considerably reduced. I think it is possible to reduce at least fifty thousand under this head only. Then under the head "diet and travelling allowance" seven thousand can easily be reduced. If we find that the appetite of witnesses goes on increasing, well, there will be a chance for the Hon'ble Home Member to get more money from the Council by means of supplementary estimates. I hope I have satisfied the Council that under the head "enlistment" also there has been over-budgeting in this way that a large amount of money has been asked for while the actual expenditure has been very much below the original demand.

**Mr. E. A. H. Blunt:** I will first deal with the honourable member's complaint that we do not give as much detail in the actuals and the revised as we used to give. That has been going on now for three years. The change was made at the instance of the Accountant General, who pointed out that as he audited only by primary units, or sub-heads, he needed no further details. And so far no objection had been raised by the House. It will cost a certain amount of money to restore these details—I cannot say how much until I look into the matter; but I am quite prepared to give the details if the cost is not extravagantly high. These figures that are given here are the totals of sub-heads, and it is against these sub-heads that we ourselves control expenditure. If the Council considers that it should carry its own control further, and wants the detailed figures of items, perhaps the simplest plan would be to turn the biggest items—such, for instance, as this travelling allowance here—into separate sub-heads. I do not think that the House can want details for the numerous tiny items scattered about the budget: it seems to me that at the very most the Council should require not all the details we used to give, but only the details of the major items. That I am quite prepared to give them, though, as I said, it will take little more time and will cost more money.

As regards the question of the entry "other allowances except house rent," now, curiously enough, the trouble there is that the entry "house rent and other allowances" was wrong. This item never included house rent. That has always been included in lodging charges. Lodging charges and house rent are the same thing, and, in the innocence of our hearts, we carefully worded the item in this particular way, so as to make it clear to the Council that it did not include house rent.

As regards the diet and travelling allowances to witnesses, that figure is due entirely to the fact that there are going to be a number of gang cases this year with very large numbers of witnesses. We do not want constantly to come to the Council for small supplementary additions to particular items, and thought it better to leave ourselves with a margin. That is the only reason why the figure has been increased on this occasion. It is possible that we may do with two, or three, or even four thousand less, but surely it is better that we should not have to trouble the House with supplementary estimates.

This budget has been cut down by the Finance department as low as it could be cut. Mr. Dodd complains, in sardonic fashion at the end of his note, that we cut 5½ lakhs. We did. That is a very big sum, and consequently the budget is as tight as it is safe to have it; and, unless they are prepared to receive a large number of supplementary estimates, I strongly advise the House to leave the figure alone.

As regards enlistment charges the honourable member has gone into ancient history. I am afraid I do not remember the details. If his figures are correct, and I don't doubt that they are—then certainly there was apparently over-budgeting. But there is probably some adequate explanation of that. There is one point, in my own sphere, which I suggest might account for some of this apparent over-budgeting, namely mis-classification. As far as I remember, I am speaking entirely from memory, we have had complaints that the Accountant General did mis-classify under this item. He had, however, only a tiny section of ten men or so to do all the budget work, and to classify the whole expenditure of the province and they naturally made mistakes. Those mistakes I hope are now being avoided by the employment of a larger staff in our own offices. But all I can say on



this question from my point of view, is that probably there was mis-classification in the actuals; in other words expenditure was really larger than it appeared. To sum up,—I do not think we can stand any cut here, certainly not one of Rs. 50,000. We have budgeted as near the margin as possible. Travelling allowances does show an increase of Rs. 15,000 but we have already given back Rs. 5,000 of that.

I am sorry that I have given so much trouble to my honourable friend. I know his keenness on these matters. Now that we have come back to the conditions of the time when he adorned this Council, I shall doubtless have to do more to satisfy his needs than has been necessary meantime.

*The Council here adjourned for lunch.*

*After the recess.*

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** As I said previously, we always try not to overbudget, and as far as I think there is no overbudgeting in this case. But, as honourable members seem to be very keen on this, I am ready to accept a cut of Rs. 10,000, with this distinct proviso that if we find that we cannot carry on with this provision we will bring in a supplementary estimate during the year. We will accept that cut on that understanding.

**The Hon'ble the President:** Will any one move the amendment?

**Mr. E. A. H. Blunt:** May I, Sir?

**The Hon'ble the President:** Yes, though Mr. Blunt has spoken already is there any objection to the amendment being moved?

*No objection was raised.*

**Mr. E. A. H. Blunt:** I move, Sir, that the sum under the head "allowances and honoraria" be reduced by Rs. 10,000.

*The amendment was put and adopted.*

**Lieut. Raja Durga Narayan Singh:** I want to substitute Rs. 10,000 for the amount mentioned in my motion.

**The Hon'ble the President:** Yes.

**Lieut. Raja Durga Narayan Singh:** I beg to move a substantive reduction by Rs. 10,000 of item concerning C—District Executive force—page 40 of the detailed estimates) under sub-head "Supplies and services"—"Clothing charges."

In the year 1926-27 a sum of Rs. 3 lakhs was provided under this head. I again find Rs. 3 lakhs for the year 1927-28. The memorandum which has been supplied to us says that this amount includes many items. I do not think that so much amount is required every year for clothing charges. I hope the department will accept this modest cut.

**Mr. E. A. H. Blunt:** I am afraid I do not see how the Government can possibly accept this reduction. After all, clothing is not imperishable. We have got to renew it at times. I do not think that for 30,000 men a sum of three lakhs is too much. The clothing includes boots, shoes, turbans, uniform and all the rest of it. It seems to me that Rs. 10 per man is not an extravagant sum, and I can assure the honourable member that the sum is invariably spent.

**Lient. Raja Durga Narayan Singh :** I regret to say that no figures are given in the budget about the number of men for whom clothing or uniform is required this year, and unless and until a satisfactory explanation is forthcoming from either the Hon'ble the Home Member or the Inspector-General of Police, I am afraid I cannot withdraw my motion.

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan :** I am informed by the Inspector-General of Police that the sum required is for the clothing of the whole police force.

*The motion was put and the Council divided as below :—*

*Ayes, 28 ; Noes, 50.*

*Ayes.*

Sir Ganesh Shankar Vidyarthi.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Pandit Nanak Chand.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Lient. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.

Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Shankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Ball.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Colonel G. Tate.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. B. Ahmad Shah.  
Babu Ram Charana.  
Thakur Partap Bhan Singh.

Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Lient. Raja Kali Charan Misra.  
Rao Sahib Kunwar Sardar Singh.  
Raja Sri Krishna Dutt Dube.  
Rai Bahadur Babu Abhinandan Prasad,  
Sardar Nihal Singh.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Saiyid Tufail Ahmad.  
Lient. Nawab Jamshed Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Lient. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Maulvi Saiyid Habib-ullah.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Shaikh Muhammad Habib-ullah.  
Rai Bahadur Munshi Ambe Prasad.  
Mr. J. P. Srivastava.

**Pandit Bhagwat Narayan Bhargava :** I beg to move a substantive reduction by Rs. 60,000 of item concerning Supplies and services — (District police (page 40 of the detailed estimates) under sub-head " District executive force ".

If honourable members will turn to the budget, they will find that on every item under the head " Supplies and services " expenditure has

considerably gone up. For example, on railway fare and carriage of escorts the provision has increased by Rs. 10,000. In this connexion it will be remembered that while at various places in the budget the Government have decreased the amount under travelling allowance, as railway fares have gone down of late, here they have provided for an additional amount. Again under "Lodging charges" the provision has gone up by about Rs. 29,000, under "Arms and accoutrements" by Rs. 24,000, and under "Purchase of remounts" by Rs. 2,500, so that the total increase comes to about Rs. 66,000. We do not know what the actual figures are for 1925-26, or the revised figures for 1926-27 nor do we find anything in Mr. Blunt's memorandum to indicate the actual need for this increased expenditure. Therefore, although there is an increase of Rs. 66,000, I have contented myself with a reduction of only Rs. 60,000, and I hope the Council will accept this.

**Mr. C. Y. Chintamani :** I do not wish to make the motion standing in my name, but speaking on this, I have one inquiry to make of the Hon'ble the Home Member. It relates to the purchase of stores required by the Police department. I should like to know to what extent the Police department utilizes the Stores Purchase department, to what extent it encourages Indian manufactures and to what extent, even where the Stores Purchase department can be utilized and articles manufactured in India can be had, it still makes purchases out of India.

**Pandit Iqbal Narayan Gurtu :** I will confine myself to another item, viz., the purchase of lorries and bicycles. It was in March, 1921, that Government decided to purchase motor lorries and the reason that they gave was that there were one or two serious riots at Rae Bareilly and other places and they felt that they had not sufficient means to send reinforcement quickly. That was the reason why they introduced the policy of purchasing lorries. Sir, when the Council had the honour of having you on the non-official benches and when in those happy days you were younger you tried every year to chase the police lorries with phenomenal speed. We find that for two or three consecutive years you challenged the demand for this vast expenditure over lorries.

In the first year the Government purchased five lorries and the demand was for Rs. 62,000. In the second year there was a modest demand for Rs. 31,300 which again you, Sir, challenged. The Government at that time said :—"After all, these lorries have to be run and the running expenses are necessary." You kept on questioning the validity of such a large demand. You put the question to a division and the votes were equal on both sides. The Hon'ble the President then had to give his casting vote and he said at that time that it appeared to him that an amount of Rs. 27,000, which the Government alleged was necessary for the running expenses of the five lorries, was somewhat high; but he took the view that the cutting out of the entire demand was not justified and gave his casting vote on the side of the Government.

After that we find that only small amounts have been put in every year in the budget. But from the appropriation report of the Accountant General we get this interesting information that in the second year, i.e., in 1922-23, 50 lorries were purchased. The Police department thus purchased 55 motor lorries in the years 1921 and 1922, i.e., five and 50 respectively. So that while the demand in 1922-23 in the budget was only for a small figure of Rs. 31,300, in that year 50 lorries were purchased.

[Pandit Iqbal Narayan Gurtu.]

by the Government at a cost, the Accountant-General says, ranging between Rs. 3,800 and Rs. 4,950. That means roughly about Rs. 4,500 a piece. Fifty lorries for Rs. 4,500 on an average would certainly cost more than two lakhs of rupees. I have been rubbing my eyes to find out where the Government got that money from in 1922-23. The money that they got in the previous year was Rs. 62,000, and in 1922-23 it was Rs. 31,300, which was alleged to be for running expenses. Did the Government ask for any larger amounts in 1921? If so, we do not find any trace of it in the column for supplementary grants in the detailed estimates of 1922-23. This is, Sir, our difficulty, and that is why I complained, when I spoke on a previous motion that the Government has been in the habit of over-budgeting under many heads. Surely it must have been from some head in the police budget that they got the money, although we are not able to trace out the figures. I remember that in the budget debate last year my honourable friend the Finance Secretary said "we can supply you figures: we cannot supply you brains." In fairness we should expect the Finance Secretary to give us only that which he can. I request him to show us the courtesy of supplying figures, and we promise that we shall reciprocate his courtesy by supplying the Government brains. I want to know where the Government got the money from to purchase these 50 lorries. I hope that there will be a satisfactory answer from the Government benches. Let us see what happens to these lorries. Immediately after their purchase Government find that they do not need so many and they must dispose of at least 30 lorries. Look at the amount of money wasted and the loss entailed. In one year they purchase 50 lorries and the next year they have to dispose of 30. The Government fixed a sale price of Rs. 1,500 on an average, while the average cost price per lorry was Rs. 4,500. Soon after they find that they cannot dispose of the lorries even for that amount, Government decide to reduce the sale price further by 25 per cent. that is to say they were willing to dispose of these lorries at an average sale price of Rs. 1,100.

**The Hon'ble the President :** Did the honourable member consult the supplementary estimates of that year?

**Pandit Iqbal Narayan Gurtu :** That is exactly the point I am raising. My grievance is against the system of accounting apart from the extravagance of the Police department. In the detailed estimates for a year or two Government followed the system of giving in a separate column amounts obtained by means of supplementary demands. They have now, at their sweet will done away with that system of account; and so, if the time of the Council is taken by certain questions and doubts which arise in the minds of the uninitiated, it is the Government which have to thank themselves for it. Any way, if in 1921-22 there were any supplementary receipts, they ought to have been shown in the supplementary column in the detailed estimates of 1922-23, but they are not.

To come to the main point, these 30 lorries could not be disposed of. The Government were able to dispose of only 12 lorries in 1924-25 and perhaps a few more in the subsequent year. I would not be surprised if there are many lorries still rotting. A bird whispers in my ear that Government are even willing to dispose of these lorries at a price of Rs. 250 each, while for some of their lorries they are being offered only a sum of a hundred rupees. I shall wait for a reply from the Government. Perhaps

next year the facts will bear out what I say at present. Under these circumstances, I submit that it is wrong on the part of the Government to go in for the purchase of lorries every year, when they have yet to dispose of those which they have on hand. I therefore submit that this item should be reduced.

**Rai Bahadur Thakur Hanuman Singh :** I beg to move my motion as an amendment to the motion of Pandit Bhagwat Narayan Bhargava reducing the amount to Rs. 35,000. Sir, in this connection I have not much to say. The honourable members who have preceded me have spoken on several items contained under head "Supplies and services", so I need not repeat the same thing again. I think the Government will find it easy to reduce to some extent certain items of which this sub-head consists of and my proposal is that there may be a reduction of Rs. 5,000 under item 'Clothing'.....

**The Hon'ble the President :** 'Clothing' has been disposed of.

**Rai Bahadur Thakur Hanuman Singh :** The motion then was for the reduction of Rs. 20,000. Now I ask for only Rs. 5,000.

**The Hon'ble the President :** The honourable member is not in order in speaking on 'Clothing'. That has been disposed of.

**Rai Bahadur Thakur Hanuman Singh :** All right, Sir. I will leave it then. Now there are railway fares and carriage of escorts—Rs. 5,000, lodging charges—Rs. 10,000, arms and accoutrements—Rs. 15,000, and purchase of lorries—Rs. 5,000, leaving clothing aside. All these are the items which I propose for reduction. The amount of my reduction comes to an aggregate of Rs. 35,000. This reduction if the Government wishes can very easily be made.

**Mr. E. A. H. Blunt :** The honourable member for the University has placed great emphasis in his speech on the purchase of Ford vans which occurred in 1922. He wants to know where we got the money from. As a matter of fact in February, 1922, His Excellency the Governor, in view of the urgency of the situation, certified a sum of Rs. 30,000 towards the purchase of these Ford vans, and the Council on March, 1922, voted the balance of the sum of Rs. 2,20,000. Then late in March or possibly in April the Council voted a sum of Rs. 47,000 for the upkeep of these vans.

**Pandit Iqbal Narayan Gurtu :** Where do you show this in the subsequent detailed estimates?

**Mr. E. A. H. Blunt :** This supplementary estimate of March, 1922, could not have been shown in the budget of that year as a supplementary grant because it was presented so late. But the expenditure must have appeared in the actuals of that year.....

**Pandit Iqbal Narayan Gurtu :** May I know where this is shown?

**Mr. E. A. H. Blunt :** It must have been shown in some budget or other. I have not got the ancient budgets with me. To be accurate, it must have been shown in the budget of whatever year contained the actuals for the year 1921-22. If the honourable member wants to see it, I can find it for him later.

**Mr. R. J. S. Dodd:** I wish to reply to the criticisms made by the three honourable members of the various sub-heads under "Supplies and services". The honourable member for Jhansi drew attention to the increase under "Railway fare and carriage of police escorts" there is an increase of Rs. 10,000. Now the head railway fare and carriage of police escorts is a charge for which the police are in no way responsible. I found the other day that the expenditure under this head was going up, and I had the matter examined, and discovered that it was mainly due to the large number of prisoners transferred from jail to jail. Now we are in no way responsible for transferring prisoners from jail to jail and I suggest to honourable members that if they consider this a serious matter, they should bring it up in the discussion on the jail budget and demand an explanation there.

As regards lodging charges, this is rather a wide subject, but much of this grant will, in time, I hope in the course of the next five years, go out from our budget altogether. It depends to a great extent on our building programme. We have examined the situation as it exists and we find that if we give this lodging allowance to the officers who are entitled to it—many of them are paying or have been paying out of their own pockets—we should have to provide at least Rs. 1,46,000. Actually I asked Government for that sum, but they have cut me down to one lakh.

Then as regards arms and accoutrements, we have had to re-appropriate to this head year after year, and I examined the question the other day to find out why this was done. It appears that our ammunition, which cost Rs. 43 per 1,000 rounds in 1914, has every year since been estimated at that cost. A year ago or a couple of years ago, I am not certain which, we discovered that the arsenal were charging us Rs. 82 per 1,000 rounds. I may also inform this House that the arsenal are, like another branch of the Government, very slow in sending in their bills, and actually it takes some two or three years to get accounts. For instance, this year we shall, I think, be paying for 1924-25 charges. I have, in view of the unsatisfactory nature of this, addressed the Government and have asked them to address the Government of India in the Military department and to ask them to expedite their bills for ammunition, and they have done so, I understand. The price has gone up 100 per cent. and we have therefore budgeted correctly this year.

As regards the purchase of remounts, I have explained about this in my explanatory note. In 1914, the strength of the mounted police was increased and a large number of horses were bought. Well that is thirteen years ago and I think it speaks well for the care which the mounted police take with their horses that they have lasted so long. They were bought in a hurry; many of them were bad bargains but on the whole they are pretty good bargains to last thirteen years. But unfortunately they may now be said to be obsolete. So I have asked for an increase here. I do not think this should be cut.

I do not think there is any other case of an increase and I hope I have made everything clear to the honourable member for Jhansi.

As regards the inquiry from the honourable member from Partabgarh about the purchase of stores and the use of the stores purchase officer, I may say that the stores purchase officer is consistently consulted. We buy all our uniform and a good many other things through the stores purchase officer and his advice is taken and he helps us to arrange contracts. In

fact beyond coming to a final decision, which is also taken on his advice, the matter is almost entirely in his hands.

The only other large item which we purchase is ammunition and to a very small extent arms. Ammunition is bought from the Government arsenals, under the Military department. I do not think there are any purchases of stores from England by my department. You will notice that under Supplies and services last year there was a sum of Rs. 1,680 for the purchase of bicycles, which have to be purchased out of India because I do not think bicycles are manufactured here. But there is no charge this year on this account as I have been able to re-allocate bicycles to effect economy and we have given up the use of bicycles in fourteen districts. Instead of indenting for new ones, those fourteen bicycles are being utilized where we require new ones.

Now as regards lorries. We have had an explanation from the Finance Secretary as to how we got them and you will notice that we have asked for a smaller grant this year than we did last year. We have at the present moment 26 lorries in commission. We have one which is out of commission, and never likely to be in commission again. It is the last one left out of those to which the honourable member for the Allahabad University referred. I am not certain what price has been fixed for its sale, but I do not think it is worth very much. Those 26 lorries are most essential in these days. We have reduced our force by over 4,000 men in the last few years and by the use of lorries we have to some extent been able to make up for this shortage; these lorries are extremely useful to take police out to scenes of dacoity, riot and so on. I think any member who knows anything about the way these motor lorries have been used will agree with me that they are very essential. Now this Rs. 18,000 is not for the purchase of lorries alone. I am not certain if we shall purchase one or two this year, but it depends on what happens to the old vans we bought in 1921-22. We may have to replace them. But the whole of the running charges for these 26 lorries comes out of this Rs. 18,000: that is petrol, oil and all running and repairing expenses, and I do not think considering the amount of improved efficiency that we get from the use of these lorries, that this is excessive.

I think I have dealt with all the points raised under this head.

**Pandit Bhagwat Narayan Bhargava:** I do not find in the answer of the Government any satisfactory explanation of such a large increase as Rs. 66,000. From what my friend the Inspector-General of Police says about the purchase of lorries I am surprised to hear that the purpose of expenditure as given in the budget is not correct from his point of view. It is clearly given that the demand is for the purchase of lorries, bicycles and not for any other purpose. If the Government was not in a position to accept my proposition I think the motion of my friend Thakur Hanuman Singh, viz., that instead of a reduction of Rs. 66,000 a reduction of Rs. 35,000 be made, is quite modest and I hope that his amendment will be accepted by the House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The various points raised by different members in their speeches have been met quite satisfactorily as far as I think from the official side. As far as the question of lorries is concerned, first of all, as was explained by the Inspector-General of Police, it is a mistake. The old form has remained in the budget—purchase of lorries and bicycles—but when we see the

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

amount we find that it was Rs. 21,000 last year and it is now only Rs. 18,000. Those who keep motor-cars can very well imagine that for the running of 26 lorries Rs. 18,000 is not excessive, taking into consideration the wear and tear and other expenses. My honourable friend the member for Allahabad University has attacked the Government for certain things which were done years ago, that is 1922.

**Pandit Iqbal Narayan Gurtu :** To explain over-budgeting.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Secretary for Finance department has been able to satisfy the honourable member that there was no over-budgeting then and that the amount for the purchase of lorries was voted by the Council in a supplementary estimate. But if for the sake of argument I admit that there was anything wrong, is there any logic that for the mistakes committed in 1922 this Government should be punished today? This reminds me of a story which I heard from the honourable member for Partabgarh and which I shall relate very briefly. There was a certain man who was ordered to be hanged, but fortunately it was found that the noose did not fit that man. Therefore the Raja ordered that the man whose neck fitted that noose should be hanged. This case just seems like that. It seems that it is asked that the present Government should be hanged for the folly of the Government in 1922. The other point which the honourable member from Partabgarh made was about the stores purchased. I can assure him that anything that can be bought in India is bought there. We are as keen as he to give preference to Indian made articles, and would only buy foreign things where it is not possible to get those things in India. There I entirely agree with my honourable friend from Partabgarh.

*The motion that the demand under supplies and services be reduced by Rs. 35,000 was put and negatived.*

**Raja Sri Krishna Dutt Dube :** I beg to move a (substantive) reduction by Rs. 38,813 in the item concerning the expenses in connexion with the administration of the Police department under sub-head "C-(b)—Special dacoity force."

Sir, I find that this amount is required for extra police which is proposed to be added to the existing strength of the police force. There are already ordinary force, village force, Criminal Investigation department force and so on. Are these forces not enough so that an addition of extra police force, is required? However, if there is absolute necessity for such an addition, I do not say that it should not be made, but the point is this, that I find that in the last year's budget there was a provision of Rs. 2,20,000, while in this budget a sum of Rs. 2,58,813 has been demanded, though the demand in years prior to 1926-27 was only Rs. 2,08,596. I do not know why there has been so much increase in the provision for next year. If the extra force was required in previous years to suppress dacoities, it does not stand to reason that provision for it should be made every year. Dacoities are not a seasonal thing. If it is a fact that they do take place, then it must be the case on the western side of the province. Certainly there are not many dacoities on the eastern side. I do not mean to say that there is a question of western side and eastern side in the province, but I only want to point out that because the western portion of the province is in touch with hilly tracts, there might be a possibility of



dacoities in that part of the province. I do not want to go at length into this question, but I simply wish to know why this increased provision has been made without giving any reasons for it, and I request my honourable friend the Home Member to consider this question favourably and, if possible, to accept the reduction which I have moved.

**The Hon'ble the President :** Does the next motion standing in the name of Pandit Govind Ballabh Pant relate to the same subject or is it of an independent nature? If it is on the same subject, the honourable member had better move it in the form of an amendment to the present motion.

**Pandit Govind Ballabh Pant :** I simply move it by way of an amendment to the motion of the Raja Sahib of Jaunpur so that in case the Government is not pleased to accept his motion, it may accede to this lower demand and if comes to voting, of course, I will join the Raja Sahib before laying stress on my own.

**The Hon'ble the President :** Has the honourable member moved the amendment?

**Pandit Govind Ballabh Pant :** I move it now. I move that the amount of Rs. 2,58,813 be reduced by Rs. 30,000.

Sir, it is really very distasteful to me to feel the absolute necessity of making this motion. I am one of those who are full of admiration for the achievements of the special dacoity force. I fully realize what Mr. Young, Rai Bahadur Sardar Tirath Singh and their assistants did for the safety and for the relief of a number of people in my parts who were then under a reign of terror. So while moving this motion I declare that the special dacoity force proved a very useful force. I go further and say that their record was at a time the cleanest in the history of police administration in our provinces, but I feel that the regard for the achievements of any department should not in any way blind us to its imperfections, nor should it be allowed to shut our eyes against what we think is leading to extravagance and wastage today. It is with a view to adjust the two principles that on the one hand the best of work that we can get out of the special police force may be secured from them and, on the other hand, that no part of the tax-payer's money be wasted, that I have moved a cut only to the tune of Rs. 30,000.

In human affairs, Sir, there is sometimes this tendency that people after having done something striking, something which strikes the imagination of the public at large, are gradually led away from the path chalked out at the outset and commence to live on what they have done instead of striving for more and more. Sir, after all, we have to remember that the special dacoity force was organized with a specific object and that was to meet the depredation of Sultana's Bhantu gang. That having been done, according to the declarations of the Government made at the outset, I see no reason why this force should be perpetuated for good. The Inspector-General of Police today told us in respect of the cattle-theft police that it was only a temporary measure and would probably not survive a year. Similar was most likely the declaration made at the time the Government appointed these officers and side-tracked them to the special dacoity force. But now we find that not only is this force being maintained but year by year its cost is going up and as I read the report of the Inspector-General of Police, I saw there his anxiety not only to perpetuate this force but also to expand it. He says that this force should be further expanded. Sir,

[Pandit Govind Ballabh Pant.]

I think such sort of special forces have also a sort of adverse bearing on the morale of the general district police force. They feel that so far as dacoities are concerned, it is not their concern. They are led to think that there is a special force and it is for them to look after these things. The entire credit goes to the special force and there is no reason why they should bother about these affairs. I think it is impossible for any special dacoity force to keep an eye over the entire province at one and the same time and anything that tends even indirectly to impair the sense of responsibility of the district police force is of a problematical value. So on the ground of principle too I am against the perpetuation of these forces.

But if honourable members will look at the figures, they will find that the total expenditure during the current year comes to Rs 2,24,500 and the provision made for the next year comes to Rs. 2,66,813, so that there is an increase of Rs. 42,000. It is certainly too big an increase even for aristocratic imagination. For us here sitting on these benches even a few rupees seem to be valuable enough. An addition of Rs. 42,000 on one branch of the police organized specially for a specific object is certainly very excessive. I will just indicate by way of illustration how money is being wasted on this force. I will not give direct illustrations of the working of the force, but will come to those to whom the force is closely related at present. There are two magistrates who are allotted to the special dacoity force, who have to do no other work except what the special dacoity force want them to do. One of them has his headquarters at Moradabad and the other at Saharanpur. It would be curious for me to find out what business they have at Moradabad or at Saharanpur. I know at least this much that the gentleman who has his headquarters at Moradabad spends most of his time out of Moradabad and he has to do most of his work—had to do it—in Haldwani in the Naini Tal district. I would not labour the story further; this is enough of an indication.

Well, Sir, I have to say this that the special dacoity police, even according to the report, has for the most part confined its activities to the prosecution of certain cases for a year or two, at least for one year. Now I can say this, and I will be pleased if I am contradicted, that the sessions judge who was in charge of these cases, did not usually give more than two hours daily to the trial of the court case when he was in charge of the special gang cases, and if the time sheets were seen—I wonder if he has been sending any to the High Court—one would find that the remark I have just made was quite correct. Naturally, the special dacoity force could effect only so much of work throughout the day as was carried out during the time the court was sitting in the day, and there they had to give more than double or triple the time that would in the ordinary course have been necessary for disposing of those cases.

Then, Sir, if you will be pleased to look at the chart which the Inspector General of Police has appended to his report, you will find that there has been a considerable, almost a phenomenal, reduction in the number of dacoities in this province. In the year 1918 we had about 2,100 dacoities—that was perhaps the largest number; but during the last year the number of dacoities was something like 780 or 790—that is the total number—and of these very few can be said to be dacoities of a serious type. Most of them can be regarded as ordinary dacoities which have to be dealt with only by the district police force. I would refer you, to the

interesting chart and to the classification under "E" which relates to dacoities. There were, Sir, one or two cases in which the sessions judge observed that he regretted that those cases in that form had come from the special dacoity police. I had not the privilege of reading the judgments myself, but I know and I have ascertained that he did make these remarks in those cases. Sir, I think, the Inspector-General of Police must have no serious apprehensions in the near future. He to his satisfaction must have seen that the various pests, as he has called them at one place, who were involved in the gang cases, received the most severe punishment that could be inflicted on them for these offences, and according to the theory in which he believes, and which he has expounded in this report, and to which Government also seem to give credence, there should be that moral effect that dacoity should come to an end everywhere where severe sentences were imposed, so the remedy has been applied and there is not much danger there. I submit, Sir, because this was a temporary force, and because there has been a considerable addition made to the expenditure for the current year in the provision made for the next year, and also because the activities of the special dacoity police must naturally contract with the lapse of time if their work has been successful—and it admittedly has been successful—I think it is absolutely necessary to reduce the expenditure. If my proposal is accepted, then the special dacoity police will have even in that case about twelve thousand more than they have been able to spend during this year.

**Lieut. Nawab Jamshed Ali Khan :** My wonder knows no bounds when I see eminent members of the House asking for curtailment in the demand for this special dacoity police. Sir, the first and foremost duty of a civilized Government is to protect the life and property of peaceful citizens. Every other duty of the Government to my mind comes next. Sir, the Government will certainly be failing in doing its duty if even for a moment it relaxes its efforts towards destroying dacoits in the province. In the statement given by the Hon'ble the Home Member in his speech the reduction in the number of the armed dacoities in the province is worth all the money we spent on it. I am quite unable to understand the logic that as the patient is improving therefore do away with the doctor. Nowadays Mr. Young with his force is generally working in the native states and so naturally the expenditure is increased. It is very difficult to work in the states. At present Mr. Young has got somewhat below three hundred men in his force and with this force I am told he has to face with some twelve hundred Kanjars. Taking the present needs in view I hope the honourable members will not vote for this wrong economy.

**Mr. R. J. S. Dodd :** It is unusual to have to defend the special dacoity force in the Council and it is unusual to have to answer the honourable member for Naini Tal in his criticism of that force, for he better than most other members of this House knows what that force has done and is doing now. It is usual for Mr. Young to produce a report on his activities before the budget comes on, but Mr. Young has last year and this year been engaged in more important work and it is with the greatest difficulty that I got him to come to Lucknow to give me a certain amount of information, which I intend to give you very briefly. At the present moment, either directly or indirectly, this force is dealing with something like 800 dacoits under arrest or pending trial in the sessions and other courts. Well, I do not want to waste time in giving details. I gave

[Mr. R. J. S. Dodd.]

certain information last year and I promise to circulate Mr. Young's report as soon as I can have it printed, but I would like to answer a few of the remarks of the honourable member for Naini Tal. He implied that since the institution of this force the ordinary district police officer had settled down to do no work in the matter of detection of dacoity cases simply because the special dacoity force was ready whenever called upon, to do his work for him. That is not so. I think my report shows clearly that, on the contrary, the existence of the special dacoity force has given an impetus to police work in connexion with the detection of dacoity. Mr. Young has never until recently covered more than two divisions of the province, practically the western border; but the improvement in eastern Rohilkhand and Oudh within the last two years has been most marked—improvement in the detection and prevention of dacoity. In the proper place I shall say more about that. At the present moment Mr. Young is engaged on a far more difficult job than he had when he was facing Sultana and his gang. I told you last year that I could not give you many details of what that work was, and the same is the case this year, not for the same reason, but from lack of time. But there is a gang of Kanjars known as the Chambal Kanjars and living in Indian states on the Agra, Etawah, and Muttra borders who in the commission of ruthless dacoity are as bad as the Bhanus were. If the honourable members for Agra and Etawah, are here they will know too well what the Chambal Kanjars can do. But after the year 1925, in which they committed more than 30 very serious armed dacoities on the Agra border, we were able, with the assistance of Mr. Young and his force, to start operations against them with this result that already the number of dacoities in that area went down last year very considerably.

As regards the objection raised by the honourable member for Naini Tal regarding the sessions judge trying cases, I am afraid, I did not quite follow him. But I think it is not a matter with which I can deal. He also said that he had seen a certain judgement—I did not hear his remarks very clearly—in a certain case sent up by the special dacoity police force, and I understood him to say that, that the judge cast reflections on the work of the force. If I am wrong he will correct me.

**Pandit Govind Ballabh Pant:** Yes, I said that. I am informed that the judge said that he had not expected such a case from the special dacoity police, whatever it may mean.

**Mr. R. J. S. Dodd:** I am informed that he made no reflection at all.

**Pandit Govind Ballabh Pant:** He made no such remarks?

**Mr. R. J. S. Dodd:** No such remarks were made.

**Pandit Govind Ballabh Pant:** Well, that is my information.

**Mr. R. J. S. Dodd:** There is only one more point which I wish to deal with, and that is one which had been raised three or four times during the debates on the police budget by my honourable friend from Naini Tal. He has said that as there is a reduction in our crime we should probably reduce our police force. He says, in effect:—"You have put down burglary, so you may suitably bring down the number of constables; you have put down dacoities, so you must reduce this force." That is an argument which, I am sure, cannot appeal to honourable members here.

It is like one who has had a faithful servant who has seen him through a difficult time, who tells him :—" Well, I have done with your services you can go." We have made cuts in the police budget, as far as we safely can. We have been able to put down crime ; but that is no reason for further cutting down our force.

**Shaikh Muhammad Habib-ullah :** I was rather suprised to hear from the Inspector-General that he has had to defend the special dacoity police force. I do not know what he meant when he said that he had to defend it. There is not a single word said in this Council as to the merit or usefulness of the force. In fact, everybody who has spoken is full of praise for the work done by the special dacoity force. The honourable member for Naini Tal when he spoke on the subject spoke on a subject about which he knew something. And, Sir, I speak from my experience of the activities of this department. The gang of dacoits for the arrest of which this force was originally formed was the gang of the notorious Bhandus. This gang had been committing ravages for the last 30 years throughout the submontane tract, from the Naini Tal district right down to Saharanpur and across the river Jumna and even in the Punjab. I am proud of the fact that I had my share in the establishment of the special dacoity force at the head of which an officer like Mr. Young was selected, who has amply justified his selection by his meritorious work. Mr. Young was appointed to do the work which the ordinary police had failed to do. He was appointed to round up that gang of dacoits, which always defied the police and went about on their depredations with arms and ammunition. They were indeed a terror to the whole of the Rohilkhand and Meerut divisions. It was stated in connexion with that gang that the poor zamindars gave shelter to them ; but the fact of the matter is that no zamindar could afford to offer resistance to a gang which had as its ring-leader a man like Sultana. I am glad to be able to say that the Sultana gang has now been run to earth, thanks to the hard work of Mr. Young. There is no doubt that police work of such an intricate nature requires a brave and clever officer like Mr. Young, and no one is opposed to his being kept on for such kind of work. But the point raised by the honourable member for Naini Tal is that the expenditure on the special dacoity force is now getting too heavy. It may be urged that since the force has done good work, it must be maintained at its present strength, but what I cannot understand is why this force is being used for the detection of ordinary dacoities in other districts, for example, in Bara Banki and Fyzabad. Mr. Young is a special officer and he is meant for special work. His energy and ability should not be allowed to fritter away beyond rounding up the Kanjars in Native States. The ordinary work can just as well be done by the ordinary police. In the circumstances I hope the Government will see their way to accept the reduction proposed by the honourable member for Naini Tal.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am quite at one with my cousin, Nawab Jamshed Ali Khan, that the existence of dacoities, especially armed dacoities, is a blot on every civilized Government. I for one think that we should not leave any stone unturned. We should strain every nerve to see that not a single armed dacoity takes place throughout the province.

I beg the honourable members of this House, especially those who come from the rural areas, to imagine just for a moment the condition of those

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan].  
 who live in small villages. Take the case of a small village with a population of 400 or 500 people. Suppose for a moment that one afternoon a small wedding party comes to this village with the bride. There is happiness all round. Everybody seems to be happy and contented. But after sunset a gang of robbers armed with spears and swords comes and attacks this particular house. They not only kill the young bridegroom and rob the poor family, but they also outrage the modesty of the women-folk and of the newly married bride. Imagine these things which very often happen. After all, these women are the daughters and wives of some of our country men. Take these things into consideration and then say whether it is not the duty of every civilized Government to spend whatever money is necessary to stamp out dacoities. It is true that Sultana and the Bhantu gang are no more in existence. But what Mr. Young and his force did for the constituency from which the leader of the Swarajist party comes, they are doing the same for Agra and Jhansi. There are the gangs of Kanjars and it is in a way more difficult to round them. Whenever they are pressed they go into the Native States and it is very difficult to get them from there. It is not correct to think that Mr. Young has been put on ordinary dacoity work. He has been employed to catch the gangs of Kanjars who are committing the same ravages as Sultana.

I assure the House that this expenditure is not a permanent charge. It was never meant to be a permanent charge. The moment we find that there is not any gang of dacoits, we will not keep this special police force. As long as this force is doing useful work, I hope the honourable members, especially those who come from the rural areas, will take into consideration their own safety and that of the rural people and will not refuse to sanction the money.

**Pandit Govind Ballabh Pant:** I beg to withdraw my amendment.

*The amendment was, by leave of the Council, withdrawn.*

*The original motion for a reduction by Rs. 38,813 of the item concerning the expenses in connexion with the administration of the Police department under sub-head "C-(b)—Special dacoity force" was put and the Council divided as below:—*

*Ayes, 29; Noes, 49.*

*Ayes.*

Sir Ganesb Shankar Vidyarthi.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.  
 Babu Bhagwati Sahai Bedar.  
 Thakur Manjit Singh Rathor.  
 Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.

Pandit Shri Sadayatan Pande.  
 Raja Sri Krishna Dutt Dube.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Sirdar Nihal Singh.  
 Rai Bahadur Pandit Sankata Prasad Bajpai.  
 Mr. C. Y. Chintamani.  
 Shaikh Muhammad Habib-ullah.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.

The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.

## Noes.

Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Laue.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Colonel G. Tate.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Mirza Muhammad Sajjad Ali Khan.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Babu Ram Charana.  
 Rai Bahadur Lala Shyam Sunder Lal.  
 Thakur Pratap Bhan Singh.  
 Thakur Bikram Singh.

Thakur Hukum Singh.  
 Raja Kushal Pal Singh.  
 Lieut. Raja Kali Charan Mista.  
 Rai Bahadur Babu Abhinandana Prasad.  
 Rai Bahadur Chaudhri Jagannath Prasad.  
 Rai Bahadur Babu Mohan Lal.  
 Mr. Zahur Ahmad.  
 Haji Abdul Qayum.  
 Mr. Muhammad Abdul Bari.  
 Saiyid Tufail Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Lieut. Nawab Jamshed Ali Khan.  
 Nawabzada Muhammad Liaqat Ali Khan.  
 Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Mr. B. M. Souter.  
 Mr. J. P. Srivastava.

**Mr. C. Y. Chintamani:** I beg to move a token reduction of Rs. 100 under sub-head "C.—District executive force (a) district police (1) pay of officers."

**The Hon'ble the President:** It is only a token reduction, and I think the honourable member had better confine his remarks to the whole head "C.—District executive force" and not to any particular item. There are many motions relating to head "C.—District executive force" and the honourable members who want to speak can do so here.

**Mr. C. Y. Chintamani:** In view of a part of the speech made by the Hon'ble the Home Member in introducing this demand yesterday, I think that it will be useful if I indulge today in some observations on the general working of the department, so that the Council might not form a one-sided or an exaggerated opinion of the increase of efficiency and the improvement of quality in the working of the Police department, of which the Hon'ble the Home Member spoke. At the outset I acknowledge, as I admitted on previous occasions when I spoke upon the subject, that compared with the state of things that existed many years ago, there has undoubtedly been a certain amount of improvement. The question is not whether there has been some improvement but whether there has been enough improvement—how we compare how with other provinces and whether we can feel that we are getting full value for the money that is spent upon the department, or, in the language of a former Lieutenant-Governor, 16 annas for every rupee that is given. It was for the first time in 1917 that I moved a reduction of one lakh of rupees under the head of police and reviewed the work of the department. At that time the department was presided over, not by a police officer, but by a member of the Indian Civil Service. I had hoped that a serious attempt would be made on behalf of the Government to controvert the opinion which I held, that the efficiency of the Police department had not reached even the minimum level which the tax-payer had right to expect. For on the general proposition the only reply that was vouchsafed to me by the Hon'ble Mr. Marris inspector-general of police, was:—'I have listened with admiration to the nimble survey which the honourable member

[Mr. C. Y. Chintamani.]

has undertaken of the police activities and the results. But I do not think the Council expects me to attempt to vie with him in the range or in the pace of his movements. I am here to reply to the proposal that the police expenditure should be reduced by a sum of one lakh and for that simple purpose I do not think it is expedient or necessary for me to attempt to review the review of my last police report in which the honourable member has indulged." As I do not now ask for the reduction of a lakh or even a thousand, but as it is a token reduction which I move, I think the Hon'ble the Home Member will not on the present occasion be able to escape with the observation that Rs. 100 would not be reduced and the rest of the speech did not call for notice. This attitude of the officer representing the Government on that occasion was found to be unsatisfactory even by such a man as my lamented friend the late Raja of Jahangirabad, a gentleman highly esteemed by the Government and a nominated member of the Council, and on that occasion, on account of this manner of the disposal of the subject, he voted with me instead of with the Government. In 1918 I returned to the charge. At that time there was not made—by the then officiating Inspector-General of Police, but this time by a police officer—even an apology for an attempt at defence against the criticisms uttered and it was a surprise to me that the Chief Secretary who was at that time in charge of the Police department the Hon'ble the Finance Member did not say a single word. Of course it was not necessary for the Government to say many words at that time. They were sure of their votes, as they are sure today although for a different reason, of which the Hon'ble the Home Member I expect is not unaware.

*At this stage the Deputy President took the Chair.*

But, Sir, my survey of the department's activities in the debate of 1918 met with unexpected good fortune. I found that in the discussion of the demands for grants in 1922 Lieutenant Nawab Muhammad Ahmad Sa'id Khan, from whom I am glad to find the exacting toil and the depressing cares of office have not driven away the buoyancy of youth and the disarming smile, did me the honour of placing before the Council a summary of the figures cited by me in my speech of 1918 and took his stand upon them in justification of a motion of reduction in which he then indulged.

**The Deputy President:** I think the honourable member has a retentive memory and he may give a summary of what he said.

**Mr. C. Y. Chintamani:** The Nawab of Chhatari concluded his speech with these words:—"This tells a very lamentable tale of the working of the police and I hope that in future those who are responsible for the working of the police (he knows well the successor of the then Home Member) will take care that the tax-payers get a better return for what is being spent on the department." These words which he then uttered to the Raja of Mahmudabad I hope he will remember every moment of his official existence right up to 1931. Although the speech which the Inspector-General of Police made in 1922 did not meet any point made by the Nawab Sahib of Chhatari my noble friend after defending himself said in conclusion:—"With these words, Sir, I wish to withdraw the resolution, because I do not wish to embarrass the department by pressing it." Of course not. If he had been guilty of embarrassing the Government, would he now be on the



benches opposite and not here to do the right? I would ask the Council to bear in mind what the Hon'ble the Home Member said yesterday about the improvement that had taken place, about the present satisfactory working of the department, and bearing that certificate in mind I will ask them to listen to me while I place a few figures before them.

A curious characteristic of the Police department in the United Provinces for many years has been to refuse investigation in a large number of cases. I have drawn attention to this many a time before and to this day the United Provinces occupies a position of unenviable prominence among the provinces of British India, as a province where the department seeks to lighten its labours by refusing investigation in cases reported to it. In the year 1924 out of 1,12,414 cases reported to them they refused investigation in no fewer than 23,401, that is in 20·6 per cent. The figure for 1925 is that out of 1,11,090 reported cases investigation was refused in 22,412. The percentage of refusals in 1924 was 20·6, in 1925 it was 20·2. The improvement that is recorded is not more than ·4 per cent. Now, what was the position in other provinces in the year 1924? I have not been able to get figures for 1925 relating to other provinces, as the latest publication of the Government of India does not tell us about that. In 1924 against our 20·6 per cent. of refusals to investigate, the refusal in Madras was 0·21, in Bombay 1·9, in Bengal 8·3, in the Punjab 3·4, in Burma 4·3, in Bihar 4·6, in Assam 6 per cent. It is only in the Central Provinces that the refusal of investigation was in 35·7 per cent. of cases. We occupied the eighth place among the nine Governors' provinces in British India. If it is any satisfaction to the Government that we do not occupy absolutely the bottom place they are welcome to it.

Next I come to what in the language of police statistics are called true cases. Out of a grand total of Rs. 1,26,935 true cases in 1924 there were convictions in 52,563 cases, while as many as 34,847 were not detected or apprehended. In 1925 out of a grand total of 1,25,867 cases there were convictions in 52,481 cases, while in 34,445 cases there was not either detection or apprehension. Here, again, how do we stand in comparison with other provinces? Our percentage of convictions in 1924 was 41, in 1925 it was 42. In judging the meaning of these figures let not honourable members forget the very large number of cases in which investigation is refused in these provinces as compared with the much smaller number of cases in seven of the other provinces. Now, the percentage of convictions in 1924 in Madras was 76 as against our 41, in Bombay 80·7, in Bengal 62·7, in the Punjab 37, Burma 67·3, Bihar 35·7, Central Provinces 21·5, Assam 37·2. In this matter the United Provinces holds the fifth place out of the nine provinces. As regards percentage of cases not detected or apprehended our percentage in 1925 was 27·4, in 1924 it was 27·5—an improvement only of ·1 per cent. In 1924 as against our 27·5 per cent. of cases which the police failed to detect or apprehend in Madras they failed in 12 per cent., in Bombay in 10 per cent., in Bengal in 19·2 per cent., in the Punjab in 27·8 per cent., in Burma in 22·2 per cent., in Bihar in 48·1 per cent., in the Central Provinces in 35·8 per cent., in Assam in 28·2. Here, again, we occupy the fifth place out of the nine provinces. As regards the persons concerned in magistrates' cases out of a total of 46,329 who were arrested, only 10,352 were convicted, 35,338 being either acquitted or discharged. In 1924 the corresponding figures were 45,892, 9,894, 35,200; in other words, the position as between 1924 and 1925 may be said to have been stationary. We all know that

[Mr. C. Y. Chintamani.]

in India judicial and executive functions are combined and that our magistrates are not fully judicial officers in the sense in which judges or munsifs are. Sometimes indeed we have had occasion in this country—we have been under the necessity of doing so—to speak of some of our magistrates as executive magistrates. Now if the magistrates, such as they are, in this country with no excessive bias for acquittal, had to acquit or discharge so many as 35,138 out of 43,329 persons arrested by the police, does not the conclusion irresistibly follow that the police are over-hasty, I might say reckless, in making arrests without adequate justification for taking that step.

Next I will place before the Council a little information—which is very disconcerting information—relating to property stolen and recovered. In 1924 the percentage of cases in which property was recovered to cases in which property was stolen was 38·8 in Madras, 48·3 in Bombay, 22·4 in Bengal, 42 in the Punjab, 46·7 in Burma, 25·6 in Bihar, 33·5 in the Central Provinces, 30·2 in Assam, and 30·3 in the United Provinces. The all-India average for the year was 33·6. The United Provinces, which occupied the sixth place out of the nine, was one of the unfortunate provinces which did not come up to the all-India average. 33·6 was low enough in all conscience. The percentage of value of property recovered to value of property stolen in the year 1924 was as follows:—

Madras, 21·1; Bombay, 25·2; Bengal, 11·7; Punjab, 27; Burma, 19·4; Bihar, 11·7; the Central Provinces, 25·3; Assam, 17·5; the United Provinces, 11·7.

It was only 11 per cent. of the value of the property stolen which was recovered in the United Provinces, in 1924. The all-India average in respect to the percentage of the value of property recovered to the value of property stolen was 14. Here, again, occupying the seventh place out of the nine Governors' provinces, the work of our police was far inferior to the work of the police of British India as a whole, for our percentage was 11·7 as against 14 for the whole country. In 1925 the percentage of cases in which property was recovered in cognizable cases was 32·41 and in non-cognizable it was only 7·29.

**The Deputy President:** We would like to have facts now. We have had enough of figures. I do not know where we shall end with these figures.

**Mr. C. Y. Chintamani:** There is a division of labour. The facts are in charge of Mr. Bedar, the figures in mine. The value of property recovered in 1925 was 13·37 in cognizable cases and 8·60 in non-cognizable cases. In 1925 property was stolen in 46,273 cases, recovered in 15,001 not recovered in 31,372 cases. Recovered in 32·41 per cent. and not recovered in 67·59 per cent. The value of the property stolen was Rs. 51,58,083, of recovered 6,90,008 and of not recovered 44,68,075. The percentage of recovered was 13·37 and of non-recovered 86·63.

Now there is one more feature in the situation which is far more disheartening than what I have placed before the Council. It is claimed by the Government, and the claim has to a certain extent been admitted by me more than once, that compared with the state of things in the past

here has been undoubted improvement, taking the work of the police as a whole. But not confining ourselves to this single item—the not negligible, the most important item, of the recovery of stolen property, I am sorry, I am grieved to have to state to the Council that we have gone far behind; we have vastly deteriorated. Now I have looked into the figures. In one of the old volumes called the Administrative and Judicial Statistics I have found to my surprise that while in 1899 in the United Provinces stolen property was recovered in 39·3 per cent. of cases, it fell to 37 in 1903, it fell to 32·4 in 1919 and to 30·3 in 1924, rising again to 32·41 in 1925. Thus if in 1899 stolen property was recovered in 39·3 per cent. of cases, in 1925, after all this vaunted improvement and with the vast increase of expenditure on the Police department during the last quarter of a century, the percentage fell from 39 to 32. As regards the value of property recovered, it was 24·1 in 1899, it was 23 in 1903, and 14·4 in 1919. It fell to 11·7 in 1924, only rising to 13·37 in 1925.

**The Deputy President:** I must point out to the honourable member that he has been quoting only figures for about fifteen minutes. I took the Chair at about 3.50 and it is now 4.5. I must say that he should now conclude.

**Mr. C. Y. Chintamani:** Is there any law or standing order or presidential ruling against the citation of figures?

**The Deputy President:** I think the Hon'ble the President has fixed fifteen minutes' time-limit for each member.

**Mr. C. Y. Chintamani:** I wish to point out that under the rules the President has no right to fix any time-limit for this discussion.

**The Deputy President:** Whether he has such a right or not, the time-limit has already been fixed. I can only allow the honourable member to conclude his speech.

**Mr. C. Y. Chintamani:** As a protest against your unauthorized ruling, I decline to proceed with my speech.

**Dr. Shafa'at Ahmad Khan:** I beg to move a (token) reduction of Rs. 100 under sub-head "C—(1) District executive police—Pay of officers."

The object of my motion is to draw the attention of Government to the need for promotion of deputy superintendents of police to the post of superintendent of police. Sir, this subject has been discussed for a number of years and on January 30, 1922, Pandit Gokaran Nath Misra moved a resolution for this purpose, which was unanimously passed. It was supported by practically every section of the non-official side. In moving this reduction I propose to draw the attention of Government to the need for a rapid promotion of deputy superintendents of police. Sir, the honourable members know that in 1902 the Police Commission recommended the creation of a distinctive branch, a branch which was to perform the functions of the assistant superintendent of police. They said:

"The Commission recommends that the number of assistants required should be supplied by the class of deputy superintendents in the provincial service who have the same departmental status as assistants."

This proposal was accepted by the Government of India. In their resolution No. 248/259, dated March 21, 1905, they said:

[Dr. Shafa'at Ahmad Khan.]

"The functions and the departmental status of the deputy superintendent of police should be similar to those as of the assistant superintendents."

This proposal was carried out by the Local Government. The Public Services Commission in 1916 recommended that in every province the minimum number of appointments should be 10 per cent, which should be increased later on to 20 per cent. But, Sir, as was pointed out by the Chief Secretary, the question was completely altered by the recommendations of the Secretary of State for India. The Secretary of State for India had laid down that the number of Indians in the Police department should be 33 per cent. Consequently the question arose, according to what principle should the proportion of deputy superintendents to that of Indian assistant superintendents be fixed? The Chief Secretary informed the Council that the Local Government were discussing with the Government of India as to whether they should increase them by promotion as to take effect amongst superintendents or whether they should be promoted into the lower ranks of the Imperial service. Sir, this was the position in 1921 when the resolution in question was moved. Later on by the recommendation of the Lee Commission the proportion of Indians in the Imperial Police has been fixed at 50, the Local Government has just informed me that the number of posts reserved for the deputy superintendents of police should be 20 per cent. Sir, this proposal, I am very glad to say, has been received by the deputy superintendents of police with complete satisfaction in this province. I should like to urge the Government that the number of deputy superintendents of police who are either officiating or are *pakka* superintendents in this province is still very small, I believe there are only eight deputy superintendents who are now superintendents of police. I hope the Inspector-General will correct me. I put him this question this morning and I gathered that only eight deputy superintendents of police are acting as superintendents in this province.

There is another question which has not been settled. Will the deputy superintendents of police who are to be promoted to superintendentships have to go through the grade of assistant superintendent of police before they become full-fledged superintendents or will they have this promotion direct?

**Mr. R. J. S. Dodd:** Direct.

**Dr. Shafa'at Ahmad Khan:** That point was not clarified by the reply of the Government when a resolution came up, I believe in 1921. I am, however, extremely glad to hear it.

The second point on which I should like to have information from the Government is that of gradation. I understand, I hope the Inspector-General will correct me if I am wrong, that the deputy superintendents of police were originally divided into five grades. Now this gradation, I submit, was very complicated. It made it impossible for the deputy superintendent of police to attain the grade of superintendent in proper time. Mr. Ashdown in giving evidence before the Public Services Commission admitted that "if a person was appointed in the fourth grade of deputy superintendent, it would take fifteen years to get to the Rs. 500 grade, provided there were vacancies."

**Mr. R. J. S. Dodd:** There is a time scale of pay for the deputy superintendents of police now.

**Dr. Shafa'at Ahmad Khan:** I am very glad that this grievance has been removed. I will therefore urge the Government to supply us with information regarding the filling up of the 20 per cent. quota which they have promised to they were going to follow.

**Khan Bahadur Maulvi Fasih-ud-din:** It cannot be gainsaid that the Police department is a necessary adjunct to civilization and as such it is a matter of the greatest importance that it should be quite up to a high standard of morality and efficiency. That the Indian police had been during the greater part of the last century manned out of the riff-raffs and scum of Indian society there can be no doubt. No man of good birth would send his sons to the police, specially when they happened to be educated, and he would consider it *infra dignitatem* to make his son a policeman. It is a remnant of this old condition of affairs that we find so many sub-inspectors illiterate even up to the present day.

The Moradabad Police Training School has not been able to improve matters very much. It has not proved to be the "open sesame" of Ali Baba as the police thought it to be. The products of this school are not quite as good as we want them, for the simple reason that this school is not so well-equipped as would befit an important province like ours. It gives but elementary training in law and the duration of its training, although it has been increased from one year to a year and a half, is still very short.

As to the morality of the police, I am rather a pessimist about this question. Honesty in my opinion is not the preserve of this department or that; it depends on the temperament and the training of the individual. I have come across Government servants getting very low pay who would not sell their conscience even for the wealth of the whole world and I have come across others who get higher pay but who would sell their conscience even for a basket of vegetables or a *chati* of sweetmeats. But I must submit, Sir, that as a sub-inspector wields immense powers of mischief and as he gets such a low pay, he is naturally on the fence between the regions of honesty and corruption and this is a matter for the serious consideration of the department. The increments that have been effected in the pay of the sub-inspectors have been very niggardly, although they have been liberal in the case of superintendents of police and Deputy Inspectors-General of Police. A sub-inspector gets between Rs. 70 and 120 a month and with that pittance he has not only to maintain his family and educate his children but to purchase his own uniform and to purchase his horse, a horse that can gallop with the horse of the superintendent of police or the district magistrate. He has to loiter about in the compound of his superintendent of police for hours and hours before he can get admittance. Besides, he can be punished at any time at the sweet will of the superintendent of police. He can even be dismissed without any sufficient cause and his appeal is very seldom heard by the Deputy Inspector-General. This is the cause, in my opinion, of the demoralization of the police.

Now coming to the actual work of the police, I am very glad that Mr. Chintamani has quoted facts and figures to show that we are rather low down in the ladder as compared with the other provinces as regards the efficiency of police administration. I need not repeat what he has already said, but I would like to point out only one or two figures which he has not been able to quote probably because there was no time at his

[Khan Bahadur Maulvi Fasih-ud-din.]

disposal and he had to sit down rather abruptly. I should like to submit, Sir, that the most interesting figures are those of cases under sections 109 and 110. We find that the police was able to secure convictions under section 109 in 2,400 odd cases and under section 110 in 3,687 cases. Out of these only in 117 cases under section 109 and in 19 odd per cent. cases under section 110 the persons bound over to be of good behaviour were able to offer security. The circumstances under which these securities are rejected and the impediments which are thrown in the way of these unfortunate persons who are hauled up before the magistrates are too evident to need mention, and I am rather surprised that the Inspector-General of Police says that he is alarmed that even so many persons were discharged and their securities were accepted. The police probably forget that sections 109 and 110 are only preventive sections. They are meant to prevent those people who have not committed an offence but who are suspected of committing them in the future—these sections are only meant to prevent them from doing this and to put some sort of impediment in their way. They are not meant to lock them up in jail willy-nilly. And for that reason I think they ought to be given every facility to offer their security. This is what is needed in their cases, and it would be a sort of vandalism to lock up every man who is hauled up before a magistrate under any of these preventive sections and not to give him a full opportunity of producing security. It is very clear that the character of a man is not improved by his being sent to jail, but it is reformed only when some one else can stand surety for him. The other point I want to bring to the notice of this Council is the percentage of convictions. I did so last year also. We find that the percentage of convictions in police cases ranges between 92 and 93 for the last three years at least and this year the Inspector-General of Police says that the percentage of convictions in the case of the number of persons arrested by the police has been greater even than it was within the last twelve years. These figures are very eloquent. They show that in every ten cases only one results in acquittal and nine cases are convicted; this is a matter for serious consideration of this Council and I think this very fact speaks volumes in favour of the separation of executive and judicial functions. Mr. Chintamani has just coined a word and he calls these magistrates executive magistrates. I have come across a certain district magistrate who actually stated in his criminal administration report about a certain magistrate that he was one of his best police magistrates he had ever come across. I think that that word used by the district magistrate was even more appropriate than the one used by Mr. Chintamani. Sir, the scheme of the combination of judicial and executive functions may have suited to the earlier days of British rule when some cavalier methods of criminal administration were needed. But it is certainly out of date in the twentieth century. Justice pure and unalloyed is the mainstay of British rule in India and woe to the man who expects it under circumstances under which an officer is simultaneously the head of the prosecuting staff of the police and the head of the trying magisterial staff. Woe to the man who expects it from an officer who has as much interest in the preservation of peace as in the dispensation of justice, a man who has got fire and sword in one hand and a soothing balm in the other. There is absolutely no doubt that this system is untenable and the sooner it is done away with the better.

**The Deputy President :** I want to point out to you gentlemen, that regarding the time-limit, a question was just raised. I had no intention of giving a ruling. I simply wish to point out that the President is supposed to help you in your deliberations. You have now been two days at this budget demand and have come only to the 55th motion. There are 113 motions under police which you have been discussing for the past two days: there are also the demands for Industries and Forest which were to have been taken into consideration within two days. I had no desire to stifle the deliberations. The President made it quite clear to you at the outset that he would allow 15 minutes to a speaker who took part in the budget discussion. Of course those remarks he made when he was referring to the general discussion on the budget, but I presume that his intention was that that time limit should apply to all discussions on the demands. Besides paragraph 112 of Business Manual specifically provides that ordinarily speakers are allowed 15 minutes while speaking in support or against resolutions; and the mover is allowed half an hour. In my opinion the speakers on motion under budget demands are governed by the same rule as applies to resolutions. If there is any desire on the part of the House to go on with one demand for the whole day I have no objection to it; but I must say that a President is here to help you in your deliberation and to regulate the business before the House, which cannot be done without your willing co-operation in following the rules and adhering to the time-limit.

*The Hon'ble the President here resumed the Chair.*

**Rai Bahadur Babu Mohan Lal :** It has been shown by facts and figures that the police has not made that improvement which it ought to have made. Although I agree with the Home Member that some improvement has been made, this improvement is not very great. Some points have been brought to the notice of the Government by the speakers who have preceded me, but I have certain other points to bring to the notice of the Government. Although some of those points may look trivial, yet they have very grave consequences behind them. The first point I have to mention is this that after a man has been convicted under section 110 and after he has furnished security or has served the time for which he has had to go to jail, then if he is employed by some zamindar or some person and if he wants to improve himself, the employer becomes the enemy of the police and they want to run him in for employing a man sentenced under section 110. This has often been noticed and there have been cases in which zamindars have been asked by the police to give evidence against persons about whom they had no knowledge and if they refused the poor men became the victims of the police jobbery. I hope the Police department will see to these things. They are happening not infrequently in the rural areas. In places where the poor people cannot command full respect with the police, they are frequently a prey to these atrocities at their hands, and I hope Government will take serious notice of these facts. Then, Sir, there is one thing which is very grave in criminal prosecutions, and it is this, that cases, serious cases of murder and others, are mostly decided on the first report. If the offender is cunning enough and he runs to the gentleman in charge of writing these first reports and manages affairs with him, then the name of the real offender is left out from the first report and he goes scot-free, and those whose names appear in the first report get the conviction. The writing of such an important thing as the first report is put in the hands of paid police officers, and there is no guarantee that they will v

[Rai Bahadur Babu Mohan Lal.]

report correctly—whether he writes the names of the persons mentioned by the reporter or the names of some other men. There is no safeguard against this. I hope the Police department will take this matter into their consideration. This is a thing which has much to do with the number of convictions of real offenders.

Then, Sir, there is one point which I wish to mention, and it is this. If some contriving person wants to run in a man, the easiest thing for the police to do is to send him up under section 110 of the Criminal Procedure Code. A number of false reports are entered in the police diaries, and after some time the man is sent up and these reports are produced as evidence and the man gets convicted. There ought to be some check on this. Although these things look very trivial when I tell the Council, they happen very frequently, and the police take very undue advantage of these things and get convictions. It is within my knowledge. I do not want to relate the names of the persons who were quite innocent but some reports were entered in the police diaries somehow for some months before against them, and then they were produced as evidence and the men got convicted. I hope Government will take steps to remove this grievance.

Then, in the matter of arms licences, if a gentleman who holds an arms licence cannot please the police, they make a report that the licence should be confiscated. I hope the Government would be very liberal in the matter of giving these licences and very careful in the matter of cancelling them on the basis of police reports. I hope the Inspector-General will see that the police do not take undue advantage of this power which is given to them of making reports in the matter of arms licences. I know in some places licences are confiscated on the bare report of the police officers without an opportunity being given to the persons holding them to prove that the police report was wrong.

These are some minor points which are of great consequence in the village life, in the rural areas, and I bring them to the notice of Government in the hope that they will receive special attention from them.

**Mr. Zahur Ahmad:** I rise to avail myself of this opportunity to make certain observations regarding the police. I must submit at the very outset that my remarks will be subject to the present unhappy and unfortunate situation in this country. As you are aware, Sir, we are at present passing through a very embarrassing and difficult situation in the country. While on the one hand we find that dacoits and robbers have made our lives miserable and unsafe, on the other we see that a pernicious and poisonous propaganda on press and platform is carried on to incite the people to cut one another's throat. That being so, we should not ignore the great burden which has fallen upon those who are in charge of preserving law and order in the country. For the last two or three years I have been watching very carefully how the police have been embarrassed, not only in cities but in villages, in their duty to suppress the riots. My personal experience is that at the time of trouble on religious festivals people run to district authorities to post a posse of police at the mosques and temples and another in the streets to safeguard the lives and property of the people, but the district officers, despairing, owing to the insufficiency of the police at their disposal find it difficult to do so. In villages the position is still worse. When a trouble is imminent, it is not found possible to send an adequate number of policemen to the spot from a neighbouring thana, and



I therefore request the Inspector-General of Police to increase the number of police in order to protect the lives and property of law-abiding people in rural areas.

The unfortunate communal riots in the country which every one of us must deplore are shaking the foundation of peaceful life and society. Every community wants to steal a march over the other and get the upper-hand over another community. The mischief-makers taking the advantage of the situation create trouble in the days of festivals which instead of being days of prayers and pleasures are converted into misery and distress. Every one on these occasions looks upon police to make arrangements for the peaceful celebration of festivals and for the protection from the mischief-makers of both the communities, but the strength of police both in urban and rural areas is not adequate to meet the requirement of the situation. I know it as a fact that the district authorities make every possible effort to get the local disputes and differences settled by mutual conferences, but when their efforts fail they try their best to make arrangements to prevent the trouble, avert riots and deal with the mischief-mongers strongly. The misfortune is that the instigators and mischief-mongers create trouble in the interior of rural areas where owing to insufficiency of police, district authorities find it very difficult to despatch adequate police force or dislocate them at once from headquarters where they had already made preventive arrangements. I feel, therefore, Sir, that so long these unfortunate riots continue in the country it is the duty of the public to give all possible assistance to the authorities and police in preventing the riots and in protecting lives and properties of the people. When we have rooted out the evil germs which are shattering to pieces the fabric of society and peaceful atmosphere of the country then there will be ample opportunity to use the pruning knife on the so-called waste of Police budget. To my mind this is not the proper time to mercilessly criticize the police instead of co-operating with them to cope with the present unfortunate situation.

I can say here with my personal experience that the district authorities in my district and some other districts have done their utmost to bring about an amicable settlement on vexed and knotty questions which threaten the breach of peace and having failed in their efforts they did their best to prevent the trouble, avert the riot and protect the lives and properties of the people. My honourable friend, Khan Bahadur Maulvi Fasih-ud-din, referred to two points. One of them was that a number of cases were reported and they were not investigated. I may tell him that as a Magistrate he has got some experience and he must be knowing that when certain cases which are reported are not found by the sub-inspector to be fit for chalan he drops them either owing to the inherent defect in first information report or owing to want of credible evidence.

**Khan Bahadur Maulvi Fasih-ud-din:** I did not raise this point at all. It was Mr. Chintamani who raised it.

**Mr. Zahur Ahmad:** I am sorry, Sir, it was Mr. Chintamani. The other point raised was that a number of cases chalaned by the police were let off by the Magistrates. To this I must say that had the police not chalaned them the objection would have been raised that the police did not take action on so many more cases. These cases might have been let off owing to legal flaw or owing to the benefit of doubt given to the accused, but are not in a position to say that they were false. Otherwise the

[Mr. Zahur Ahmad.]

would have been taken for perjury by the Magistrate or appellate court. With these remarks I beg to resume my seat as the time at our disposals very short.

**Pandit Govind Ballabh Pant :** I regret that in your absence while one of the honourable members of this House was speaking and there was a desire on his part to proceed further with his speech he could not do so, as the time which he had taken in speaking over this motion had exceeded 15 minutes. The Hon'ble Deputy President expressed it as his view that you had fixed 15 minutes as the usual time-limit for speeches. I do not know, Sir, how the position stands, but there seems to me to be a different view in some other quarters and there has been some little unpleasantness on that account. I hope that you, Sir, with your usual resourcefulness, will see that harmony is restored.

**The Hon'ble the President :** I am thankful to the honourable member for Naini Tal for having brought to my notice a certain unpleasantness that happened during my absence from the Chair. As I said yesterday, I, as President, do not sit here in judgement on the rulings given by my Deputy in the Chair. I understand from what the honourable member for Naini Tal has said that the Deputy President acted, in fixing a time-limit and in forcing a certain member to bring his remarks to a close, on the supposition that the President, that is myself, had laid down a certain time-limit for the discussions of the demands. As he acted under that apprehension, and if I say a few words on that account, I am not exercising any right or any duty of sitting in judgement at all over what he said, but I do so simply by way of correction of what certainly was a mistake.

When I laid down the time-limit, it was for the general discussion of the budget and it was in pursuance of paragraph 128 of the Manual in which rule 28 of the United Provinces Legislative Council Rules is embodied. Rule 28 says—"The President may, if he thinks fit, prescribe a time-limit for speeches" and that rule distinctly and definitely lays down the time-limit to be prescribed at the discretion of the President in connexion with the general discussion of the budget. As regards the budget demands, there is no such time-limit and there is no such power given to the President. There is another paragraph, namely paragraph 112, which occurs under the chapter of "Resolutions," where it is stated—"No speech, except with the permission of the President, shall exceed 15 minutes in duration, provided that the mover of a resolution when moving the same and the member of Government in charge of the department concerned, when speaking for the first time, may speak for 30 minutes." In the Manual, therefore, there are two paragraphs dealing with time-limit and prescribing the duration of speeches. The first is paragraph 112 which refers to resolutions and the second is paragraph 128 which refers to the general discussion of the demands. There is, therefore, some misunderstanding on the point that I ever laid down any time-limit for the budget demands. It must be said, however, that the Chair has a certain discretion in appealing to the honourable members in the interests of the despatch of business to bring their remarks to a close. Beyond that the Chair should not go, and if the Chair appeals to honourable members in the interests of the despatch of business, I hope they will accord it their co-operation. I have been freely using this discretion by way of an appeal to the members. I hope that these remarks of mine will conduce to the ending of this unhappy episode.

**Khan Bahadur Hafiz Hidayat Husain :** At this late hour I shall not make any speech, but would only make a suggestion or two for the better organization of the force itself. It is perhaps known that there is great discontent in the police force in the matter of punishment of sub-inspectors by the superintendent of police. The superintendent of police has been given authority to suspend, fine, transfer and even dismiss sub-inspectors. The district magistrate and the Commissioner who could take a detached view of things have been debarred from the exercise of that power. This is most unsatisfactory and should be remedied. The other suggestion is in regard to the improvement of the position of circle inspectors. These circle inspectors were appointed when the deputy superintendents of police did not exist, and therefore it would probably be much better if in order to avoid duplication of inspection agencies a substantial curtailment in the number of circle inspectors was made, and the number of deputy superintendents of police was increased. It is possible in this way to do away with circle inspectors and substitute instead a better class of officers.

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan :** At this late hour I do not wish to inflict a long speech. The honourable member for Partabgarh has quoted very many figures from different provinces. I in my opening speech quoted only a few figures, which were about grave and heinous crimes, and I compared the working of the Police department in these provinces with that of the others, as far as grave crimes were concerned. The honourable member for Partabgarh took quite a different line, and he quoted the facts and figures for other crimes. I admit that I am not prepared to meet all the facts and figures, as I had not the slightest idea that they would be quoted. Still, I may say that by quoting the facts and figures for different provinces the honourable member has done a useful work, that is to say, he has drawn the attention of Government to them. I am sure that in his speech the figures which have been quoted will do a lot of good to us and the points which have been raised will receive our best consideration. I do not wish to inflict a lengthy speech as I am desirous that the honourable member for Partabgarh should proceed with his speech.

**Mr. C. Y. Chintamani :** In view of what has happened in your absence I do not wish to take part in the debate. I have said "in your absence."

*The motion was put and negatived.*

**Thakur Sadho Singh :** I beg to move a (token) reduction of Rs. 100 under sub-head "C—District executive force—District police—Pay of officers."

I want to bring to the notice of the House the most unusual practice followed by some police officers in several cases during the year 1926. In my district they used a very serious and terrorist remedy for enforcing the prompt attendance of absconding offenders. In some cases of habitual offenders this remedy was applied. But later on, even in a very petty riot the same remedy was applied. Within a week of the occurrence the police went to the houses of the accused and practically demolished them. I thought over the matter when I got the information but I could not then imagine of any law which allowed the police such a wide and lawless discretion the abuse of which can be seriously extended.

**The Hon'ble the President :** Are we discussing that rafter business again ?

**Thakur Sadho Singh:** Yes, Sir.

**The Hon'ble the President:** Rafters are over. They have been taken away. The honourable member may put forward some other points.

**Thakur Sadho Singh:** Several cases have been brought to my notice when the police attached the belongings of absconders. They did not spare even the clothes and the utensils belonging to other members of the family who had to suffer from cold in winter. There is one other point which I want honourable members to notice. On page 8 of the report on the operations for special dacoity police for 1925, statements are made seriously affecting the reputation of the zamindars of four districts and of two castes, Thakurs and Brahmans. It is reported:—"I must confess I have been astonished to find how much sympathy and assistance these two leaders have been able to command from the Brahmans and Thakurs, their caste-fellows, in the districts alluded to. Almost every zamindar has appeared ready to shelter them, and those who have been anxious to help the police have obviously been frightened by fear of reprisals."

**Saiyid Habib-ullah:** On a point of order. It is 5 o'clock and the motion should be put to the vote.

**The Hon'ble the President:** I think the President may well be trusted to take care of the time. It is one of the functions of the Chair. Thakur Sadho Singh.

**Thakur Sadho Singh:** It is stated in the report that almost every zamindar has appeared ready to shelter those dacoits. I do not know how far this sweeping statement can be taken seriously by this House and how far is the police authorized to make such incorrect statements and to defame the whole community of zamindars and of Brahmans and Thakurs in the four districts. Had it been spoken of the Muslim community or other gentlemen there would have been a row in this House. It refers to two of the highest castes of Hindus in four districts, Budaun, Etah, Mainpuri and one other district.

**The Hon'ble the President:** Now, I must step in to stop the row. It is 5 o'clock, and under rule 29 of the United Provinces Legislative Council rules read in conjunction with the order of His Excellency the Governor the discussion of this demand must be now brought to a close. I have, therefore, to put the demand under discussion to the House.

The original motion before the House was for a grant of Rs 1,52,71,693, since then the Council has carried cuts to the extent of Rs. 15,100. The question is that the sum of Rs. 1,52,56,593 be voted for police.

*The demand was put and voted.*

*The Hon'ble the President then adjourned the Council till March 22.*

## APPENDIX A.

(See page 437 *supra*.)

*Statement referred to in the answer to starred question No. 6 for the meeting of March 15, 1927.*

Department.	Name of articles substituted.	1922-23.		1923-24.		1924-25.		1925-26.	
		Value of articles made in United Provinces.	Value of articles made in India outside United Provinces.	Value of articles made in United Provinces.	Value of articles made in India outside United Provinces.	Value of articles made in United Provinces.	Value of articles made in India outside United Provinces.	Value of articles made in United Provinces.	Value of articles made in India outside United Provinces.
Public works	Cement	Rs. 72,670	Rs. 55,690	Rs. 1,16,000	Rs. 8,97,499	Rs. 1,16,000	Rs. 8,97,499	Rs. 1,16,000	Rs. 8,97,499
	Iron and steel*	274,553	3,52,383	3,52,383	3,52,383	3,52,383	3,52,383	3,52,383	3,52,383
	Paints and varnishes	18,159	10,416	10,416	10,416	10,416	10,416	10,416	10,416
	Hair beltings								
Police	Handoufs								
	Buttons and badges								
	Police puggeries and kamarbands								
	Sewing thread								
Education and Medical.	Chemical balances test tubes		594						
	Chalk crayons								
	Bed pans, douche cans, urinals and feeding cups.								
	Absorbent cotton lint and gauze								
General	Disinfectant								
	Brushes..		572						
	Glue								
	Lantern, hurricane..								
	Waterproof cape								
	Rosin								
	Treasury locks								

\*In the figures for iron and steel imported articles are also included. It is not possible for firms to give figures separately, but it is estimated that two-thirds of this is of Tata manufacture.

*Statement referred to in the answer to starred question No. 6 for the meeting of March 15, 1927.*

Year.	Name of article.	Quotation received by indenting officer or prices settled by him direct.	Prices settled by the Stores Purchase department.	Savings.
		Rs.	Rs.	
1923-24..	.. Unit sheds extension	34,336	31,520	3,01
1924-25..	.. 10 miles of track and an engine.	72,000	61,750	10,250
1925-26..	.. Pipes .. ..	20	16.8	2,100
	Tip wagons ..	per foot. 22,500	per foot. 21,750	750
	Spare parts of machinery.	..	5 per cent. discount on prices quoted to several indenting officers direct.	2,615
	Watering carts ..	2,000	Less 5 per cent.	100

## APPENDIX B.

(See page 438 *supra*.)

*Statement referred to in the answer to starred question No. 7 for the meeting of March 15, 1927.*

Serial number.	Name of article.	Value of articles manufactured in India.	
		Manufactured in United Provinces.	Manufactured in India but outside United Provinces.
		Rs.	Rs.
1	Textile goods .. .. .	3,52,379	6,588
2	Yarn .. .. .	1,53,804	..
3	Sewing thread .. .. .	..	118
4	Tents .. .. .	1,07,110	..
5	Cotton rope and newar .. .. .	5,674	..
6	Absorbent cotton, lint, gauzes and bandage cloth	5,848	1,171
7	Woollen goods .. .. .	1,92,779	..
8	Raw wool .. .. .	6,200	..
9	Cement .. .. .	..	3,57,500
10	Iron and steel (joists, angles, tees, rounds, corrugated sheets, rails, etc).	..	1,68,749
11	Hardware .. .. .	347	(approximate) 3,281
12	Fabricated material .. .. .	..	40,513
13	Scientific instruments balances, spirits and chemicals.	4,825	3,656
14	Buttons, badges, whistles and bugle cords ..	2,764	305
15	Handcuffs .. .. .	..	982
16	Dak bags and kit bags .. .. .	1,934	..
17	Tailoring of uniform .. .. .	31,268	..
18	Leather goods including police accoutrements	40,749	..
19	Coal .. .. .	..	9,149
20	Oils, soaps and lubricants .. .. .	3,615	..
21	Locks .. .. .	8,776	..
22	Furniture .. .. .	3,272	..
23	Iron safes, despatch boxes, etc. .. .. .	..	7,157
24	Paints, varnishes, etc. .. .. .	2,000	33,690
25	Beltings .. .. .	..	1,703
26	Hand lanterns .. .. .	1,142	..
27	Waterproof capes and tarpaulins .. .. .	..	14,282
28	Manilla rope .. .. .	..	6,487
29	Miscellaneous articles .. .. .	12,219	2,419
	Total .. .. .	9,36,205	6,57,700
	GRAND TOTAL .. .. .	15,93,905	

## APPENDIX C.

(See page 440 *supra*.)*Statement referred to in the answer to starred question No. 16 for March 15, 1927.*

Year.	Name.	Qualifications.	Caste.	Religion.	Address.	Selected or not.
1932	Thakur Amar Singh	School Leaving Certificate	Kshatriya	Hindu	Garhwal	Yes.
1932	Shalikh Anis Ahmad Khan	Not known	..	Muslim	Aligarh	Yes.
1932	M. Tamiz-ud-din Ahmad (also nominated in 1924 but not selected).	Matriculation	..	Do.	Sitapur	No.
1932	Sayid Mumtaz Ali Khan	Ditto	Jat	Do.	Muzaffarnagar	No.
1932	Chandhari Baljit Singh	Matriculation and School Leaving Certificate.	..	Hindu	Meerut	Yes.
1933	Thakur Meharban Singh	School Leaving Certificate	Rajput	Do.	Garhwal	No.
1933	Mr. G. K. Handoo	Ditto	Kashmiri Brahman	Do.	Allahabad	No.
1933	Durga Dhar Jayal	Ditto	Garhwali Brahman	Do.	Garhwal	No.
1933	Brij Bhushan Singh	Ditto	Rajput	Do.	Muzaffarnagar	No.
1934	Muhammad Ayub Qureshi	Intermediate	Brahman	Muslim	Lucknow	No.
1934	Shri Nivas	School Leaving Certificate	..	Hindu	Budaun	No.
1934	Hasan Osman Khan	Student of class IX.	..	Muslim	Farukhabad	No.
1934	Sureshwar Man Singh (also nominated in 1925 but not selected).	School Leaving Certificate	..	Hindu	Fatehpur	No.
1935	Ganga Dhar Jayal	Ditto	Garhwali Brahman	Muslim	Garhwal	No.
1935	Asrar Ahmad Khan	Matriculation	..	Do.	Agra	No.
1935	Ganpat Ram Nagar	Intermediate	Brahman	Hindu	Meerut	Yes.
1936	Girraj Singh	School Leaving Certificate	Jat	Do.	Do.	No.
1936	Mr. J. J. Watts	Senior Cambridge Certificate	..	Christian	Allahabad	No.
1936	Habibullah Khan	Matriculation	..	Muslim	Lucknow	No.
1936	Sunadhab Tagore	Admission Certificate, Benares University.	Bengali Brahman	Hindu	Benares	No.



## APPENDIX D.

(See page 444 *supra*.)

*Copy of the orders referred to in the answer to starred question  
No. 33 of March 15, 1927.*

No. 1016/VIII—112-F.-14 of 1899, dated Allahabad,  
December 6, 1899.

From—The Secretary to Government, North-Western Provinces  
and Oudh, Police department,

To—All District Magistrates, North-Western Provinces and Oudh  
(except Agra and Pilibhit).

SIR,—In continuation of G. O. No. 511/VIII—112-F—5 of June 27, 1899, regarding the payment of rewards to the police for good service in cases under the Excise, Opium and Gambling Acts, I am directed to say that the notice of Government has been drawn to the fact that section 16 of Act III of 1857 (the Gambling Act) authorizes the magistrate trying the case to give a reward to the informer only. It has at the same time been suggested that orders should be issued under section 17 of the Act permitting the grant of a portion of the fine levied under sections 3 and 4 as rewards to the police.

2. The Government has already, by Municipal department notification No. 1707/XI—707-A., dated July 11, 1892 (published on page 158, part III of the *Government Gazette* of July 16, 1892), placed the proceeds of fines imposed under the Gambling Act for offences committed within the limits of the several municipalities in the North-Western Provinces and Oudh at the disposal of the said municipalities. The Lieutenant-Governor and Chief Commissioner is now pleased so far to modify this order as to exclude from its operation sums which may be awarded to the police under the orders contained in paragraph 3 of this letter.

3. In regard to all gambling cases, the Lieutenant-Governor and Chief Commissioner is pleased to direct, under the authority vested in him by section 17 of the Act, that, whenever the Court considers it desirable that the police should be rewarded, any balance of the fines realized which has not been granted by the magistrate to an informer under section 16 may be given to the police in such manner as the magistrate or district superintendent of police may see fit to allot it.

L. M. THORNTON,

*Secretary.*

## APPENDIX E.

(See page 445 *supra*.)

*List referred to in answer to starred question No. 40 for March 15, 1927, asked by PANDIT BHAGWAT NARAYAN BHARGAVA SAHIB.*

## I.C.S. OFFICERS.

- |  |     |     |   |
|--|-----|-----|---|
| (1) Governor, United Provinces ...       | ... | ... | 1 |
| (2) Deputy Secretaries to Government ... | ... | ... | 3 |

There are also the following temporary posts:—

- |   |     |     |   |
|---|-----|-----|---|
| (1) Additional Pusinge Judge, Allahabad High Court (held by Mr. Justice Ashworth) ...   | ... | ... | 1 |
| (2) Settlement Commissioner for Agra, Rohilkhand, Lucknow and Fyzabad divisions (held by Mr. Knox) ...  | ... | ... | 1 |
| (3) Chief Accounting Officer, United Provinces (held by Mr. Blunt in addition to his duties as Finance Secretary) ...                               | ... | ... | 1 |
| (4) Chief Pay and Accounts Officer (held by Mr. Tennant)  |     |     | 1 |
| (5) Provincial Training Officer, Moradabad (held by Mr. D. M. Stewart. The appointment expires on March 25, 1927. Sanctioned for 4½ months only)... |     |     | 1 |

## I.M.S. OFFICERS.

- |   |     |     |   |
|---|-----|-----|---|
| Assistant Director of Public Health (Malariaology) held by Captain D. Clyde, I.M.S. ... | ... | ... | 1 |
|---|-----|-----|---|

## APPENDIX F.

(See page 454 *supra*.)

Statement referred to in the answer to unstarred question No. 7 for the meeting of March 15, 1927.

Name.	Age.	Qualifications.
1. Avadh Behari Lal Srivastava ..	23	B.A. (Economics).
2. Bal Krishna Khanna ..	24	M.A. ( " )
3. Brahma Shankar ..	25	" ( " )
4. Chandra Prakash ..	24	B.A. ( " )
5. Krapa Shankar Avasthi ..	24	" ( " )
6. Puttoo Lal Bisaria ..	22	" ( " )
7. Rama Shankar Tewari ..	26	" ( " )
8. Binayak Ram Nagar ..	24	" ( " )
9. Bindrahan Agarwal ..	24	" ( " )
10. Thakur Jaswant Singh ..	24	B.A.
11. Viresh Chandra Agarwal ..	26	B.Sc., LL.B.
12. Lakshmi Chandra ..	24	B.Sc.
13. Mani Shankar Misra ..	21	B. Com.
14. Prathma Nand Mudgal ..	23	M.A., LL.B., B.A. (Econ.).
15. Debi Prasad Srivastava ..	28	M.A. (Econ.), LL.B.
16. Hari Ram Chaturvedi ..	21	B.A. (Econ.).
17. Banke Behari Seth ..	25	" ( " )
18. Shree Ram Bhartia ..	23	M.A., B.A. (Econ.).
19. Hamid Saiyid Khan Lodi ..	22	B.A. (Econ.).
20. Hamid Reza ..	..	B.A.
21. Zahir Ali Khwaja ..	26	M.A. (Econ.).
22. Abdul Hadid Qidwai ..	21	B.A. ( " )
23. Ayaz Muhammad Khan ..	23	" ( " )
24. Muhammad Rafi uddin ..	26	"
25. Muhammad Sa'id Qidwai ..	23	"
26. Muhammad Ahmad Siddiqi ..	25	" (Econ.).
27. Shahanshah Husain ..	25	B.A.

## APPENDIX G.

(See page 454 *supra*.)

Statement referred to in answer to unstarred question No. 8 for March 15, 1927.

District.	Loans advanced to agriculturists during 1925-26.			Amount advanced for—		
	Under Act XII of 1884.	Under Act XIX of 1883.	Total.	Seed.	Cattle.	Well sinking.
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Etawah ..	3,085	7,400	15,485	540	7,545	7,400
Gawnpore ..	32,577	700	33,277	14,705	6,970	700
Fatehpur ..	5,853	1,100	6,453	..	3,700	1,100
Total ..	46,015	9,200	55,215	15,245	18,215	9,200

## APPENDIX H.

(See page 455 supra.)

STATEMENT REFERRED TO IN THE ANSWER TO UNSTARRED QUESTION  
No. 26 FOR MARCH 15, 1927.

*List of oriental institutions aided from Provincial Revenues in the  
United Provinces for the year 1926-27.*

No.	District.	Name of institution.	Monthly grant from March 1, 1926.	Remarks.
		<i>Sanskrit Pathshalas.</i>	Rs.	
1	Jaunpur	Sanatan Dharma Pathshala ..	60	
2	Do.	Bholaram Sanskrit Pathshala, Ukni post office Punwar.	40	
3	Do.	Sanskrit Pathshala, patti Narindpur	30	
4	Allahabad	Dharam Jyanopadesha Pathshala ..	60	
5	Ditto	Srinath or Ramnagar Sanskrit Pathshala, Sirsa.	20	
6	Ditto	Sarjuparini Brahman Pathshala, Badshahi Mandi.	47	
7	Ditto	Tribeni Sanskrit Pathshala, Daraganj.	14	
8	Ditto	Sri Harsha Saviti Sanskrit Pathshala, Daraganj.	25	
9	Gorakhpur	Sanskrit Pathshala, Bishwanathpur	41	
10	Ditto	Ditto Dumri ..	36	
11	Ditto	Ditto Sohgauna ..	60	
12	Ditto	Ditto in the Satasi estate, qasba Bhawapur.	100	
13	Ditto	Vidang Vyakaran Pathshala, Hardahi, post office Bangsaon.	40	
14	Ditto	Vidya Dharma Sanjivini Pathshala, Deoria.	25	
15	Ditto	Sanatan Dharam Vardhini Sanskrit Pathshala, Dhani.	20	
16	Ditto	Sanatan Dharam Sanskrit Pathshala, Bustampar.	43	
17	Ditto	Sanskrit Pathshala, Dhakwa bazar..	25	
18	Ditto	Saraswati Sanskrit Pathshala, PEP-igani.	34	
19	Ditto	Sarwar Pathshala, Salimpur ..	36	
20	Ditto	Sanskrit Pathshala, Kanapur, tahsil Bangsaon.	27	
21	Ditto	Vaishnava Dharam Pravardhini Sanskrit Pathshala, Rama Mau, tahsil Bangsaon.	22	
22	Ditto	Hindi Sanskrit Sahityadarsha Vidyalaya Dharsi, post office Gagha.	36	
23	Ditto	Sanskrit Vidya Dharma Sanjivini Pathshala, Dalpatpur, Bahoro, post office Rudrapur.	25	
24	Ditto	Sanskrit Pathshala, Dharha, tahsil Hatta.	26	
25	Ditto	George Nijai Sanskrit Pathshala, Rampur Karkhana, tahsil Hatta.	15	
26	Ditto	Sanskrit Pathshala, Amarpur, post office Bangsaon.	15	
27	Ditto	Sanskrit Pathshala, Bridgemanganj	15	
28	Ditto	Kuver Nath Sanskrit Vidyalaya, Kasia.	60	
29	Ditto	Maha Prem Nirvana Vidyalaya Math Kurvar, Kasia.	25	

No.	District.	Name of institution.	Monthly grant from March 1, 1926.	Remarks.
			Rs.	
30	Gorakhpur	Sanskrit Pathshala, Ramanuj Kote, village Ramdi, post office Belghat.	20	
31	Ditto	Sri Radha Krishna Sanskrit Pathshala, Deoria.	25	
32	Aligarh	Kameshwar Sanskrit Pathshala, Hathras.	24	
33	Ballia	Sanskrit Pathshala	40	
34	Do.	Debi Prasad Sanskrit Pathshala	37	
35	Ghazipur	Victoria Sanskrit Pathshala	40	
36	Mirzapur	Sanatan Dharam Rakshanlya Sanskrit Pathshala, Brajraj Katra.	12	
37	Do.	Pandey Sanskrit Pathshala, Ashrana	15	
38	Gonda	Sanskrit Pathshala attached to Lyall Collegiate School, Balrampur.	67	
39	Do.	Sanatan Dharam Sanskrit Pathshala, Kali Kunda, post office Nawabganj.	60	
40	Do.	Sang Veda Vidyalaya, post office Bargaul.	30	
41	Sitapur	Seth Raghubar Dayal School, Sanskrit department.	60	
42	Kheri	Dharam Sabha School, Lakhimpur.	43	
43	Hardoi	Vyakaran Tatwa Prakashika Pathshala, Sandi.	25	
44	Gazhwal	Timli Pathshala	25	
45	Do.	Badrish Kirti Sanskrit Vidyalaya, post office Simli via Karanprayag.	20	
46	Azamgarh	Sanatan Dharam Pathshala	90	
47	Ditto	Sanatan Dharam Sanskrit Pathshala, Harshankarpur, post office Ahraula.	30	
48	Ditto	Sanskrit Pathshala, Bazar Goshain, tahsil Sagri.	40	
49	Ditto	Sri Sanatan Dharam Vidyaratna Sanskrit Pathshala, Kaneri, post office Phulpur.	40	
50	Ditto	Sanskrit Pathshala, Hirajpatti, post office Madhubani.	30	
51	Ditto	Sanskrit Pathshala, Mau	69	
52	Ditto	Sanskrit Pathshala, Rani-ki-Sarai	22	
53	Ditto	Sanskrit Pathshala, Gadadasi, post office Muhammadabad Gohna.	37	
54	Ditto	Sanga Veda Vidyalaya, Hanuman-garh.	15	
55	Ditto	Sanyasi Sanskrit Pathshala, Raizadpur, tahsil Jaunpur, post office Sagri.	15	
56	Bulandshahr	Sanskrit Pathshala attached to the Edward Coronation High School, Khurja.	100	
57	Ditto	Sanskrit Pathshala attached to the Janki Prasad's A. S. High School, Khurja.	25	
58	Agra	Vidya Dharm Vardhini Pathshala, Seo Bazar.	20	
59	Muttra	Sri Rang Lakshmi Vidyalaya, Brindaban.	30	
60	Do.	Saubhari Rishikul Pathshala, Gobardhan.	25	
61	Do.	Sri Ramanuj Vedanta Vidyalaya Totadri Math, Brindaban.	25	
62	Rae Bareilly	Baillie Sanskrit Pathshala	75	
63	Etawah	Sanskrit Pathshala, Aursiya	70	
64	Meerut	Villveshwar Vidyalaya, Sadar	40	

No.	District.	Name of institution.	Monthly grant from March 1, 1926.	Remarks.
65	Meerut ..	Sanatan Dharam Sanskrit Pathshala, Pilkhuwa.	Rs. 8	
66	Saharanpur ..	Bhagirathi Sanskrit Pathshala, Kankhal.	38	
67	Ditto ..	Yogashrama Vidyalaya, Mayapuri, Hardwar.	25	
68	Etah ..	Sanatan Dharam Vidyalaya. Mayanganj.	18	
69	Basti ..	Mukundnath Sanskrit Vidyalaya, Chetia Rudrapur, tahsil Bansi.	30	
70	Do ..	Sanskrit Pathshala, Bishunpur, post office Captainganj.	28	
71	Do. ..	Brahmanand Sanskrit Pathshala, old Basti.	30	
72	Pilibhit ..	Lalit Sanskrit Pathshala, Bisalpur..	14	
73	Budaun ..	Hitopdeshni Sanskrit Pathshala, Ticketganj.	25	
74	Banda ..	Tulsi Smarak Sanskrit Pathshala, Rajapur.	17	
75	Jhansi ..	Sanskrit Pathshala, Tilbehat, Lalitpur.	20	
76	Fyzabad ..	Deva Vidyalaya, Sari, post office Shahganj.	15	
77	Bareilly ..	Arya Samaj Sanskrit Pathshala, Bhoor.	15	
Total ..			2,646	
(2) Arabic Madarsas.				
1	Ghaziपुर ..	Chashma-i-Rahmat School ..	205	
2	Benares ..	Madrasa Mazhar-ul-Ulum ..	125	
3	Do. ..	Madrasa Islamia ..	60	
4	Moradabad ..	Madrasa Siraj-ul-Ulum, Sambhal ..	100	
5	Ditto ..	Nur-ul-Madaris, Amroha ..	80	
6	Ditto ..	Madrasa Islamia, Sambhal ..	40	
7	Ditto ..	Madrasa Syed-ul-Madaris, Amroha ..	47	
8	Ditto ..	Madrasa Imdadia ..	50	
9	Fyzabad ..	Wasiqa Arabic school ..	200	
10	Do. ..	Madrasa Kang-ul-Ulum, Tanda ..	100	
11	Aligarh ..	Madrasa Juma Mosque ..	90	
12	Meerut ..	Madrasa Islamia ..	100	
13	Do. ..	Mansabia Arabic college ..	100	
14	Do. ..	Darul Ulum ..	100	
15	Lucknow ..	Madrasa Nazmia ..	200	
16	Do. ..	Madrasa Sultan-ul-Madaris ..	300	
17	Allahabad ..	Misbah-ul-Ulum, Allahabad ..	300	
18	Ditto ..	Madrasa Azizia, Mahgaon ..	50	
19	Gorakhpur ..	Madrasa Islamia ..	100	
20	Bareilly ..	Madrasa Misbah-ul-Ulum ..	70	
21	Do. ..	Madrasa Manzar Islam, Bareilly ..	100	
22	Do. ..	Madrasa Panjabiyah, Bareilly ..	25	
23	Hardoi ..	Madrasa Islamia ..	50	
24	Fatehpur ..	Madrasa Islamia ..	50	
25	Agra ..	Madrasa Juma Mosque ..	75	
26	Saharanpur ..	Madrasa Makhzan-ul-Ulum, Lahore Darwaza.	50	
27	Cawnpore ..	Madras Zila-ul-Ulum ..	70	
28	Farrukhabad ..	Madrasa Shafiqul Islam ..	25	
29	Ditto ..	Haji Ilahi Bakhsh, Kanauj ..	25	
Total ..			2,937	
GRAND TOTAL ..			5,583	

# LEGISLATIVE COUNCIL

## UNITED PROVINCES OF AGRA AND OUDH.

*Tuesday, March 22, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 A.M. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(70)

The Hon'ble Sir Sam O'Donnell,  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Pali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Sri Ganesh Shankar Vidyarthi.  
Mr. A. P. Dube.  
Pandit Babas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.

Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Hri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Haji Abdul Qayum.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Niamat-ullah.  
Rai Bahadur Munshi Ambe Prasad.  
Raja Jagannath Bakhsh Singh.  
Mr. E. M. Souter.  
Pandit Iqbal Narayan Gurtu.

### MEMBERS SWORN.

Mr. B. D'O. Darley.  
Lieut.-Col. R. F. Baird.  
Chaudhri Dharamvir Singh.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

\*1. **Hafiz Muhammad Ibrahim** : [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

## WATER RATES IN BIJNOR.

\*2. **Hafiz Muhammad Ibrahim** : (a) Is it a fact that the Irrigation department in Bijnor district realizes water rates from the cultivators for the rainy season? Do cultivators irrigate their *kharif* crop in that season?

(b) Have Government taken any steps to stop this practice?

**The Hon'ble Sir Sam O'Donnell** : (a) The Irrigation Department realizes water rates from the cultivators only on crops irrigated by them from canals in the rainy season. Yes, the cultivators irrigate *kharif* crops in the rainy season.

(b) No.

\*3 and \*4. **Pandit Badri Dutt Pande** : [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

## HYDRO-ELECTRIC SCHEME, NAINI TAL.

\*5. **Pandit Badri Dutt Pande** : (a) What is the total cost of the Naini Tal hydro-electric scheme?

(b) How much of this was Government contribution and how much issued as loan to the Naini Tal municipality?

(c) What is the amount of interest that the tax-payers of Naini Tal have to pay on this loan?

**The Hon'ble Nawab Muhammad Yusuf** : (a) Rs. 21,17,000.

(b) The Government contributed Rs. 3,50,000 as grant and Rs. 18,82,000 as loan towards the scheme. They have also remitted Rs. 95,722, being the balance of the former water-works loan, and have reduced the rate of interest on the present loan.

(c) The interest must vary from year to year, decreasing as each instalment of the loan is paid off. In 1925-26 it amounted to Rs. 1,12,925-13-2.

**Pandit Badri Dutt Pande** : In view of the fact that the Naini Tal Municipality is the pet child of the Government with which it does not wish to part, will the Government wipe off this debt and relieve the tax-payer?

**The Hon'ble the President** : It is more of an argument and a suggestion than a question for eliciting information.

**Pandit Brijnandan Prasad Misra** : Why was the rate of interest reduced?

**The Hon'ble Nawab Muhammad Yusuf** : Because the municipality was in difficulties and the Government thought fit to reduce the rate of interest.



**TAXES AND RATES LEVIED IN SIMLA, MUSSOORIE, AND NAINI TAL.**

**\*6. Pandit Badri Dutt Pande :** Will the Government be pleased to give the number of taxes together with the rates levied in Simla, Mussoorie, and Naini Tal?

**The Hon'ble Nawab Muhammad Yusuf :** The honourable member is referred to the books of rules, regulations, and bye-laws of the municipalities in question which contain the information required.

**\*7. Pandit Badri Dutt Pande :** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

**HONORARY MAGISTRATES AND MUNSIFS IN THE UNITED PROVINCES.**

**\*8. Pandit Badri Dutt Pande :** Will the Government be pleased to give the total number of honorary magistrates and honorary munsifs in the United Provinces during the years 1924, 1925, and 1926?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** A statement is laid on the table.

(See Appendix A, page 602.)

**Pandit Badri Dutt Pande :** How many of them are literates and how many illiterates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The question does not arise out of my reply.

**\*9. Pandit Badri Dutt Pande :** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

**TRANSFER OF SECRETARIAT OFFICES FROM ALLAHABAD TO LUCKNOW.**

**\*10. Pandit Badri Dutt Pande :** How many Secretariat offices have been transferred to Lucknow? How many still remain in Allahabad? When are they likely to be transferred to Lucknow?

**The Hon'ble Sir Sam O'Donnell :** The office of the Buildings and Roads Branch of the Public Works department was transferred to Lucknow in October, 1924, and that of the Irrigation branch in October, 1925. The other Secretariat offices are still at Allahabad, and there is no intention of transferring them to Lucknow.

**FOREST BOUNDARY IN ALMORA.**

**\*11. Pandit Badri Dutt Pande :** How many villages are there in the Almora district where the forest boundary still touches the village cultivation?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** A deputy collector has been on special duty setting back forest boundaries wherever he found that they caused hardship. His tour was widely advertised and objections invited. The Deputy Commissioner has also been giving the matter his personal attention. It is, therefore, improbable that any real grievance still exists. If any specific cases are reported they will be examined.

**Pandit Badri Dutt Pande :** Will Government make inquiries as to the number of villages in which the boundary has not been set back?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** In view of the reply that I have given there is no need of making any inquiry, because if there is any grievance in any village, and if it is brought to the notice of the authorities, it will be redressed.

**Pandit Badri Dutt Pande:** Am I to understand that the recommendations of the Kumaun Forests Committee have been carried out in full?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** This is my information; but if there is any place where there is any grievance, the party affected can apply to the Deputy Commissioner and the Deputy Collector who has been mentioned in the reply and redress will be obtained by them.

**Pandit Badri Dutt Pande:** Has the appointment of this Deputy Collector been sanctioned as a special communal forest officer?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** That question does not arise out of my reply.

**Pandit Brijnandan Prasad Misra:** Who will examine the specific cases that are brought to the notice of the Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The Deputy Commissioner and the Deputy Collector will examine them and remedy any grievance that may be there.

#### TIME SCALE FOR DRILL MASTERS.

\*12. **Pandit Badri Dutt Pande:** How many drill masters are there in the Government and normal schools? What are their grades? Are they provided with time-scale?

**The Hon'ble Rai Rajeshwar Bali:** (1) Sixty-five,

(2) Four on Rs. 40 per mensem.

Thirty-four on Rs. 35 per mensem.

Four on Rs. 30 per mensem.

Twenty-three on Rs. 25 per mensem.

(3) No.

#### TIME SCALE FOR MODEL SCHOOL TEACHERS.

\*13. **Pandit Badri Dutt Pande:** Are the teachers of model schools attached to the Government normal training schools provided with time-scale? If not, why not?

**The Hon'ble Rai Rajeshwar Bali:** The honourable member is referred to the reply given to starred question No. 17 for March 16, 1925.

*Copy of starred question No. 17 asked on March 16, 1925, and the reply given thereto.*

#### QUESTION.

\***(a)** Will the Government be pleased to state whether it has taken any action on the resolution which was passed unanimously on January 30, 1923, regarding the grant of time scale of pay to model school teachers?

**(b)** If the answer to the above be in the affirmative, will the Government please state when it is likely to be given effect to?

**(c)** If the answer to part (a) be in the negative, will the Government please give reasons?

(d) Will the Government be pleased to state if it now proposes to introduce time-scale of pay among the aforesaid teachers?

REPLY.

The honourable member is referred to the proceedings of the Legislative Council meeting held on March 8, 1925, when a resolution on the subject was moved by Babu Parsidh Narayan Anad Sahib.

LADY DOCTOR IN ALMORA.

\*14. **Pandit Badri Dutt Pande:** (a) Did the Civil Surgeon of Almora send in a scheme for starting a branch of the Lady Dufferin hospital in Almora dispensary?

(b) Is it a fact that the scheme was strongly recommended by the Inspector-General of Civil Hospitals?

(c) Is it a fact that the district board of Almora was willing to bear half of the annual cost?

(d) Will the Government be pleased to say what has become of the scheme?

**The Hon'ble Rai Rajeshwar Bali:** (a) No. The district board, Almora, applied for a grant for the entertainment of a lady doctor in the Almora dispensary.

(b) The Inspector-General of Civil Hospitals supported the district board's request.

(c) No.

(d) The matter is under the consideration of the Government.

**Pandit Badri Dutt Pande:** How long will the Government take to materialize this scheme?

**The Hon'ble Rai Rajeshwar Bali:** We shall try to do it as soon as possible.

DISTRICT MEDICAL OFFICERS TO CALL ON SANITARY ENGINEER.

\*15. **Pandit Badri Dutt Pande:** Is it a fact that the head of the Medical department has issued a circular to all the medical officers in the United Provinces to call on the Sanitary Engineer whenever he is in the station?

**The Hon'ble Rai Rajeshwar Bali:** The honourable member is referred to the answer given to starred question No. 8 on March 9, 1927.

NON-OFFICIAL VISITORS TO DISTRICT JAILS.

\*16. **Pandit Badri Dutt Pande:** (a) What are the functions of a non-official visitor of a district jail?

(b) Is a Member of the Legislative Council of a district a non-official visitor of his district jail?

(c) Is he free to visit the jail whenever it suits him, or has he to do so at the will of the district or jail authorities?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The honourable member is referred to paragraph 90 of the Jail Manual and to paragraphs 955, 957, and 958 of the Manual of Government Orders.

**Mr. C. Y. Chintamani:** As long as copies of the Manual of Government Orders are not available, will Government be pleased, when they refer to the contents thereof, to recite in these answers the text of those paragraphs or their substance?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** We will do it.

**Pandit Badri Dutt Pande :** Is a non-official visitor at liberty to visit a jail at any time or at the option of the local authorities ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** If the honourable member will read paragraph 90 of the Jail Manual he will find that the non-official visitor is free to visit the jail at any time except at the time of the lock-up, that is, at night when prisoners are locked.

**Pandit Badri Dutt Pande :** In view of the fact that I hold a letter intimating to me that I am to visit the jail only during the months of April, August, and . . .

**The Hon'ble the President :** The honourable member is debating the question. I may point out that there is a difference between a debate and a question asking for information. Question time is not meant for debate or discussion, however unsatisfactory a reply may be.

**Pandit Brijnandan Prasad Misra :** Are these paragraphs to which the Government refer in their reply available to the public for purposes of reading ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I think the new Jail Manual is under print. I am afraid it is not available at present.

**Pandit Brijnandan Prasad Misra :** Where can these references be found ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As far as the Manual of Government Orders is concerned, it can be had from the Council Library. As far as the Jail Manual is concerned, it is under print and copies will be available to the honourable members as soon as the printing is over.

**Mr. C. Y. Chintamani :** Is it a fact that no copies of the Manual of Government Orders are available, as the Hon'ble the Finance Member stated ?

No reply was given.

**Pandit Govin Ballabh Pant :** Is it open to the district officers to distribute the time of the year between the various visitors and to specify specific weeks or months when a particular visitor should visit the jail ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** They make certain arrangements of roster in order to give every visitor a chance to visit the jail, but I think it does not mean that if any visitor wants to visit the jail at any other time he cannot do so because of that roster.

**Pandit Govind Ballabh Pant :** I understand that it is open to a visitor to visit the jail at any time during the year irrespective of this specification ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes, I think so.

**Khan Bahadur Maulvi Fasih-ud-din :** Is the Government aware that certain district magistrates have issued orders that Members of the Legislative Council should visit jails during particular months ? If so, is the Government prepared to cancel those orders ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There is no need of cancelling them. They are meant only to insure that an honourable member must get a chance of visiting the jail at least in those days, but it does not in any way affect the liberty of an honourable member to visit a jail if he wants to visit it at any other time.

**Mr. A. P. Dube :** Can two visitors visit the jail at the same time?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I see no objection to it.

#### RINDERPEST IN KUMAUN.

**\* 17. Pandit Badri Dutt Pande :** Is it a fact that rinderpest has played havoc in almost all the villages of Kumaun? Is it true that in many villages not a single cattle was left alive? What has the Agricultural Department done for the mitigation of the disease? Has any pecuniary help been given to the destitute agriculturist to enable him to purchase a fresh pair of oxen; or will one be given?

**The Hon'ble Thakur Rajendra Singh :** A virulent type of rinderpest has ravaged the district of Garhwal and to a less extent the districts of Almora and Naini Tal. The Veterinary department has given aid by supplying two more veterinary assistant surgeons from headquarters. Government have spent about Rs. 60,000 on the purchase of serum for rinderpest inoculation in the Kumaun division. They propose to form a mobile squad of ten veterinary assistant surgeons for conducting a campaign in the remote parts of the Kumaun division and will ask the Council to vote money for this purpose when the supplementary estimates are presented. Last year 115,488 cattle were inoculated throughout the province against rinderpest, the majority of them in the hills. *Taqavi* can be obtained for the purchase of cattle in the usual way.

**Pandit Badri Dutt Pande :** My question has not yet been answered. I want to know whether Government is prepared to give some help *gratis* to the destitute agriculturist who is unable to take *taqavi*?

**The Hon'ble Thakur Rajendra Singh :** I ask for notice.

#### BOARD OF LOAN COMMISSIONERS.

**\* 18. Dr Shafa'at Ahmad Khan :** Will the Government be pleased to lay a statement on the table giving the following particulars:—

(1) The amount advanced by the Board of Loan Commissioners in 1922 to 1926 to—

(i) persons; and

(ii) institutions.

(2) The conditions under which and the security, if any, on which such amount was advanced.

(3) The purpose or purposes for which the amount was advanced.

(4) The amount recovered by the Board of Loan Commissioners, and the amount that has not been paid by each?

**The Hon'ble Thakur Rajendra Singh :** A statement is laid on the honourable member's table showing the advances made by Government, with particulars of objects, security, and recoveries. The Board of Loan Commissioners, which is an advisory committee, neither advances loans on its own authority nor recovers advances.

(See Appendix B, page 603.)

\* 19. **Dr. Shafa'at Ahmad Khan :** What is the total amount at the disposal of the Board of Loan Commissioner at the present time?

**The Hon'ble Thakur Rajendra Singh :** Government placed one lakh at the disposal of the board during the current year.

#### ORGANIZATION OF A NEW CADRE FOR PUBLIC HEALTH OFFICERS.

\* 20. **Dr. Shafa'at Ahmad Khan :** Have the Government organized a new cadre for public health officers? If so, will the Government be pleased to lay a copy of their scheme on the table?

**The Hon'ble Rai Rajeshwar Bali :** The scheme will be presented shortly to the Council.

\* 21. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

#### DISTRICT BOARD ENGINEERS.

\* 22. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if every district board has drafted regulations relating to the qualifications of engineers who have taken the place of the old District Engineers?

\* 23 Will the Government be pleased to state if they insist on any qualifications for these engineers and have prescribed any regulations regarding these qualifications?

**The Hon'ble Nawab Muhammad Yusuf :** The qualifications of district board engineers have been prescribed not by regulation, but by rules which the Government have made. A copy of these rules\* is laid on the honourable member's table.

#### ENGINEERS IN THE PUBLIC HEALTH DEPARTMENT.

\* 24. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have made any provision or intend to make any provision for the six engineers in the Public Health department?

**The Hon'ble Nawab Muhammad Yusuf :** Government are considering the question.

\* 25. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the Government have been making promises of confirmation to those engineers for several years?

**The Hon'ble Nawab Muhammad Yusuf :** The answer is in the negative.

\* 26. **Dr. Shafa'at Ahmad Khan :** Is the Government aware that if they are not confirmed, some of them will, on reaching the age-limit, retire from service without any pension?

**The Hon'ble Nawab Muhammad Yusuf :** The members of the proposed Provinces Engineering Service, Public Health branch, will be in the permanent non-pensionable establishment and will have a special provident fund. They will not, in any case, be pensioned.

\* 27. **Dr. Shafa'at Ahmad Khan :** What provision, if any, have the Government made, or do they intend to make, with regard to such cases ?

**The Hon'ble Nawab Muhammad Yusuf :** Does not arise.

#### AUDITORS OF WAQFS.

\* 28. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to supply to the Council a list containing the following particulars relating to each district :—

- (1) Name of auditor of *waqfs* with an income of Rs. 2,000 a year or under in each district ?
- (2) Is he working as an honorary or paid auditor ?
- (3) His position and status ?
- (4) His qualifications ?
- (5) How appointed? Was anybody consulted by the district judge at the time of his appointing the auditor ?
- (6) Is he a peshkar, or a relative of the peshkar of the district judge ?
- (7) What fees does he charge ?
- (8) Does the auditor travel in the district, or do the *mutawallis* bring their accounts to be audited at his residence ?
- (9) Has the auditor drawn the attention of the district judge to those *waqfs* of which no accounts have been filed ?
- (10) Has any Muslim or body of Muslims objected to the appointment of any auditor ?

**The Hon'ble Rai Rajeshwar Bali :** Government have been making inquiries, but regret to say that the information received so far is yet incomplete.

#### WAQFS IN JHANSI.

\* 29. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to inquire if it is a fact that no *waqfs* exist in the Jhansi district ?

**The Hon'ble Rai Rajeshwar Bali :** No *waqf* case has been reported to the court.

#### MUTAWALLIS OF BUDAUN.

\* 30. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the District Judge of Budaun has fined two *mutawallis* for failure to file accounts ?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

#### GOVERNMENT GRANT FOR ISLAMIA SCHOOLS AND MAKHTABS.

\* 31. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement in the tabular form below :

- (1) The amount allotted by the Government to each district board in the years 1926-27 and 1925-26 for expenditure on Islamia schools and *makhtabs* ?
- (2) The amount actually spent by each district board during the two years on such schools.

- (3) The amount, if any, spent by each district board, out of its own fund, in addition to and above the grant allotted by the Government for such schools ?

**The Hon'ble Rai Rajeshwar Bali :** (1) Government do not allot amounts to the district boards for expenditure on Islamia schools and *maktabs*. Government have prescribed a minimum expenditure by each district board on this object. A statement showing the minimum prescribed for 1925-26 and 1926-27 is laid on the table of the honourable member.

(2) and (3) Government have no information.

(See Appendix C, page 606.)

\* 32. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state what amount, if any, was spent in each district on the construction of buildings of Islamia schools and *maktabs* ?

**The Hon'ble Rai Rajeshwar Bali :** The information is being collected.

#### ADMISSION OF DEPRESSED CLASS STUDENTS IN BOARDING HOUSES OF DISTRICT AND MUNICIPAL BOARD SCHOOLS.

\* 33. **Babu Ram Charana :** Will the Government be pleased to state if there is any rule prohibiting the students of the depressed classes from admission into the boarding houses attached to the district and municipal board schools which are not solely depressed class schools ?

**The Hon'ble Rai Rajeshwar Bali :** No such rule has been laid down by Government. The detailed administration of such boarding houses is in the hands of the local bodies concerned.

\* 34. **Babu Ram Charana :** (a) If the answer to the foregoing question is in the affirmative, will the Government be pleased to lay a copy of the rules on the table and state what arrangement, if any, has been made for boarding the depressed class students in the aforesaid schools ?

(b) If no arrangement has been made, will the Government be pleased to state the reasons for the same and state if any arrangement will be made ? If so, when ?

**The Hon'ble Rai Rajeshwar Bali :** Does not arise.

\* 35. **Babu Ram Charana :** If the answer to question No. 33 is in the negative, will the Government be pleased to state if the students belonging to the depressed classes are actually allowed admission in such boarding houses ?

**The Hon'ble Rai Rajeshwar Bali :** Government have no information.

\* 36. **Babu Ram Charana :** (a) Will the Government be pleased to state if it is a fact that a student belonging to the Kori caste was admitted into the V class of the Mohanlalganj district board school, Lucknow, in July last but was not allowed to live in the boarding house ? Is it that he has been and still is passing his days in an open verandah school exposed to rain and cold and has been cooking his side of a wall in a fallow land near by ?

answer is in the affirmative, will the Government be pleased to state—(i) why he was not allowed to live in the boarding house, and (ii) who was responsible for such refusal ?



(c) Has some arrangement been made now to protect the student from exposure to cold and rain ?

(d) Will any action be taken against the party at fault? If so, what?

**The Hon'ble Rai Rajeshwar Bali :** (a) The answer to the first part of the question is in the affirmative and to the second and third parts in the negative.

(b), (c) and (d) Do not arise.

#### DEPRESSED CLASS SCHOOLS.

**\*37. Babu Ram Charana :** Is the Government aware that the Second Adi Hindu Conference, held on February 3, 1927, at Allahabad, has passed a resolution praying the Government to start sufficient number of depressed class schools under staff recruited solely from the depressed classes? If so, will the Government take any action, and, if so, what towards granting that prayer?

**The Hon'ble Rai Rajeshwar Bali :** The reply to the first part of the question is in the negative. The second part does not arise.

#### APPOINTMENT OF THE HEAD CLERK AS SPECIAL MANAGER, SAHASPUR ESTATE.

**\*38. Chaudhri Badan Singh :** Is it a fact that during the sojourn of Babu Hirday Narain, Special Manager, Sahaspur estate, at the Moradabad training school, the head clerk, who is very nearly related to him, was appointed in charge of the said estate?

**The Hon'ble Sir Sam O'Donnell :** The reply is in the affirmative.

The arrangement leading to the appointment of the head clerk in place of the special manager for the brief period of three months was necessitated by local conditions. It is reported that no relationship exists between the special manager and the head clerk.

**\*39. Chaudhri Badan Singh :** Will the Government be pleased to state the reason why this head clerk was put in charge when there was already an assistant manager?

**The Hon'ble Sir Sam O'Donnell :** The assistant manager, who was newly appointed to the sole charge of the Kanth estate and who had therefore to acquaint himself with the affairs of this estate, could not be spared for additional duties.

#### HONORARY MAGISTRATES, MUNSIFS, AND ASSISTANT COLLECTORS.

**\*40. Nawabzada Muhammad Liaquat Ali Khan :** (a) Will the Government be pleased to state the minimum qualifications and procedure of appointing honorary magistrates, honorary munsifs, and honorary assistant collectors?

(b) Is there any general rule for regulating and recruiting this honorary service?

(c) If the answer to (b) is in the affirmative, has any departure ever been made from the rule?

(d) If the answer to (c) is in the affirmative, what were the reasons for this departure?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) For qualifications the honourable member is referred to the answer given to Pandit Nanak Chand's starred question No. 24 on June 28, 1926.

(b), (c) and (d). There is no rule for recruitment, but Government have issued instructions. For regulating the honorary service there is a rule prescribing at least one inspection annually by the sub-divisional officer (in the case of honorary munsifs by the district judge) which Government believe to be observed.

*Copy of starred question No. 24 of June 28, 1926, asked by PANDIT NANAK CHAND SAHIB and answer given thereto.*

#### QUESTION.

\*Will the Government be pleased to state if they require any, and, if so, what minimum standard of education or literacy for the appointment of honorary magistrates, assistant collectors, and munsifs?

#### ANSWER.

\*The standard required is that they should be able to read and write one of the vernaculars, if not English, and should be sufficiently well educated to be able to conduct their court proceedings with intelligence and to understand the law which they have to administer.

**Pandit Govind Ballabh Pant :** In view of the botheration caused to the Government, as well as to the public, by this institution of honorary magistrates, will the Government be pleased to discontinue further recruitment?

**The Hon'ble the President :** This is an argument and a suggestion for definite action.

**Pandit Govind Ballabh Pant :** I withdraw the argument, Sir.

Is it the intention of the Government to discontinue further recruitment of honorary magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Pandit Govind Ballabh Pant :** Are there any disqualifications prescribed for excluding people from being recruited as honorary magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I believe under our instructions those people who are not qualified are disqualified.

**Pandit Badri Datt Pande :** Cannot the purpose be served by giving them titles instead of appointing them as honorary magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not quite follow.

\*41 and \*42. **Nawabzada Muhammad Liaquat Ali Khan :** [Postponed at the request of Government till the meeting of Council on April 2, 1927.]

#### PLAGUE IN AZAMGARH.

\*43. **Nawabzada Muhammad Liaquat Ali Khan :** Will the Government be pleased to state what measures have been taken to eradicate the epidemic of plague from Azamgarh district?

**The Hon'ble Rai Rajeshwar Bali :** The measures adopted in the Azamgarh district are the same as usual, namely, evacuation of infected cases and inoculation by anti-plague vaccine.

The following staff is engaged in the district on plague duty :—

I.—District health staff.—

(a) District medical officer of health.

(b) Assistant district medical officer of health.

II.—Travelling dispensaries—

Two public health travelling dispensaries.

All these are engaged in plague inoculation work and plague propaganda work throughout the district.

In addition plague inoculation is also carried out by the medical officers of the headquarters and fixed dispensaries in the district.

Steps are being taken for erecting huts for the poor classes, and they have been persuaded to evacuate their dwellings. Rs. 200 were placed at the disposal of the District Magistrate, Azamgarh, for anti-plague measures in the district during the current plague season.

Twelve thousand, four hundred and fifty inoculations were performed by different agencies in the district during the year 1926.

**Pandit Govind Ballabh Pant :** Does the Government think that this sum of Rs. 200 is adequate or excessive for the purpose ?

**The Hon'ble the President :** It is asking for an expression of opinion.

**Pandit Govind Ballabh Pant :** Is it the intention of the Government to effect retrenchment and economy by reducing this sum of Rs. 200 ?

**The Hon'ble the President :** This is an insinuation and is ironical.

#### DEATH RATE IN CERTAIN MUNICIPALITIES.

\*44. **Nawabzada Muhammad Liaquat Ali Khan :** (a) Has the attention of the Government been drawn to the steadily increasing death rate in the following municipalities of over 30,000 population each :—  
Moradabad, Saharanpur, Pilibhit, Agra, and Budaun ?

(b) Will the Department of Public Health state reasons for this increase in each case, especially Saharanpur ?

**The Hon'ble Rai Rajeshwar Bali :** (a) Yes, except in the case of Pilibhit, where there has been a decrease and not an increase.

(b) The increase in Saharanpur, which is slight, is chiefly due to an increase of small-pox, plague, and respiratory diseases.

In Moradabad the increase is chiefly due to fever and plague.

The increase in Agra is almost entirely due to the severe plague epidemic during 1926.

In Budaun there has been a slight increase, due largely to an outbreak of cholera in 1926.

**Pandit Govind Ballabh Pant :** Have the Public Health Department prepared any schemes for mitigating the epidemics in these places ?

**The Hon'ble Rai Rajeshwar Bali :** We adopt the usual anti-epidemic measures in those places.

**Pandit Govind Ballabh Pant :** Does not the fact of the failure of the usual measures lead the Government to think further on the subject ?

**The Hon'ble Rai Rajeshwar Bali :** For plague we do not know any better measures.

**The Hon'ble the President :** The process of thinking is very elaborate one.

## GRANT FOR PRIMARY EDUCATION.

\*45. **Nawabzada Muhammad Liaqat Ali Khan:** (a) Will the Government be pleased to state how many and what district boards have applied for primary education grant since the publication of notification No. 116/XV—1158-1926 (Education department) in the *United Provinces Government Gazette*, dated January 22, 1927?

(b) How many of these applications are to be granted and how many to be refused, and why?

**The Hon'ble Rai Rajeshwar Bali:** (a) None.

(b) Does not arise.

## MIDDLE VERNACULAR EXAMINATIONS IN HILLS.

\*46. **Fandit Badri Dutt Pande:** Is it a fact that the middle vernacular examinations are held in the hills in the month of February? Have boys to go to their examination centres from far off villages? What objection has Government to holding this examination in the month of March instead?

**The Hon'ble Rai Rajeshwar Bali:** (a) The Vernacular Final examination was held in February in 1926 and 1927 owing to *Ramzan*. It is usually held in March and will be held in March next year.

(b) Boys have to go to the examination centres from places where vernacular middle schools are situated.

(c) The examination is ordinarily held in March.

## NON-CONFIDENCE IN CHAIRMEN, MUNICIPAL BOARDS.

\*47. **Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a statement showing the following:—

(1) The number of municipal boards where the members have taken advantage of the Municipal Board Amendment Act of 1926, introduced by Mr Aslam Saifi last year, and passed a vote of non-confidence twice, in accordance with the provisions of the Act?

(2) The names of chairmen who have been obliged to resign their office in consequence of such motions?

**The Hon'ble Nawab Muhammad Yusuf:** (1) Nawabganj (Bara Banki) and Khurja.

(2) Lala Ram Charan Lal Sahib, chairman of Nawabganj municipal board, has resigned. Government have no information whether Lala Shanti Lal Sahib, chairman of Khurja municipal board, has resigned as yet.

## NORMAL PASSED TEACHERS.

\*48. **Khan Bahadur Hafiz Hidayat Husain:** Are *madhyamas* and *munshi faizils* allowed to appear for the high school examination? Have they only to qualify themselves in the English language?

Why is not the same facility allowed to the normal passed teachers?

Are the latter teachers qualified also in arithmetic and geography while the former are not?

**The Hon'ble Rai Rajeshwar Bali:** (a) The honourable member is referred to regulation No. 7, chapter XIII of the regulations of the Board of High School and Intermediate Education.

(b) The Board has not passed a regulation extending the facility to normal school passed students.

(c) Yes.

\*49. **Khan Bahadur Hafiz Hidayat Husain** : Are *madhyamas* and *munshi jazils* alone appointed vernacular teachers in Government high schools? Are they given any instructions in the method of teaching before appointment?

\*50. Have the Government considered the question of the appointment of normal passed students who have also passed the advanced language examinations as vernacular teachers in Government high schools and, if so, with what result?

**The Hon'ble Rai Rajeshwar Bali** : Government have recently considered the question of the qualifications for teachers of vernacular in Government high schools and have prescribed the following minimum qualifications :—

*Urdu*.—Munshi (United Provinces) examination in Persian *plus* Advanced Language examination in Urdu.

*Hindi*.—Prathama examination in Sanskrit *plus* Advanced Language examination in Hindi .

Preference is given to trained teachers.

\*51. **Khan Bahadur Hafiz Hidayat Husain** : Have the Government also considered the appointment of normal passed teachers as sub-deputy inspectors of schools and, if so, with what result? How many such persons have been appointed as such?

**The Hon'ble Rai Rajeshwar Bali** : Yes; they have appointed a limited number of such teachers.

Fourteen.

#### CLOTH-PRINTING AND PAINTING WORKS IN FATEHPUR DISTRICT.

\*52. **Babu Uma Shankar** : Does the Government know that cloth-printing and painting work is done in Jafarganj, Kishunpur, etc., in Fatehpur district?

**The Hon'ble Thakur Rajendra Singh** : Yes, on a very small scale.

**Pandit Govind Ballabh Pant** : In which other places are such schools more urgently required?

**The Hon'ble Thakur Rajendra Singh** : For this I want notice.

**Pandit Govind Ballabh Pant** : Is it the intention of the Government to open such schools in any other places next year?

**The Hon'ble Thakur Rajendra Singh** : I do not remember.

#### CLOTH-PRINTING SCHOOL IN FATEHPUR DISTRICT.

\*53. **Babu Uma Shankar** : (1) Does the Government contemplate to open any printing school in Fatehpur district?

(2) If yes, when; if no, why not?

**The Hon'ble Thakur Rajendra Singh** : (1) Not at present.

## SEALED BOTTLE SYSTEM IN FATEHPUR MUNICIPALITY.

\*54. **Babu Uma Shankar**: Is it a fact that Fatehpur municipal excise advisory committee passed a resolution recommending the extension of the sealed bottle system within the Fatehpur municipality?

**The Hon'ble Thakur Rajendra Singh**: Yes.

\*55. **Babu Uma Shankar**: Does the Government contemplate to give effect to the above recommendations within the Fatehpur municipality?

**The Hon'ble Thakur Rajendra Singh**: The matter is under consideration.

## EXCISE LICENSING BOARD IN RURAL AREAS.

\*56. **Babu Uma Shankar**: Is it a fact that the United Provinces Excise Conference of 1924-25 recommended the constitution of the licensing boards in the rural areas as well as within the municipalities?

\*57. (1) Does the Government contemplate to give effect to the above recommendations?

(2) If yes, when; if no, why not?

**The Hon'ble Thakur Rajendra Singh**: The honourable member is referred to paragraph 11 of resolution No. 199/XIII-127, dated August 13, 1925.

## BOOKING OFFICE AT MENDU RAILWAY STATION.

\*58. **Sri Ganesh Shankar Vidyarthi**: (a) Is it a fact that the railway station Mendu, which is a connecting link between Hathras station and Hathras junction, has no booking office, and no tickets are issued from there for intending travellers?

(b) Is it intended to take early steps to remove this difficulty of the travelling public of that locality?

**The Hon'ble Sir Sam O'Donnell**: (a) Yes.

(b) The Government have ascertained that the Railway Administration propose shortly, as a trial measure, to open the station for the local booking of passengers, their luggage and parcels for a period of six months.

**Sri Ganesh Shankar Vidyarthi**: Are Government going to take any action?

**The Hon'ble Sir Sam O'Donnell**: No; Government are not prepared to accept that recommendation.

## HONORARY MAGISTRATES AS CANDIDATES FOR ELECTION TO THE LEGISLATIVE COUNCIL.

\*59. **Sri Ganesh Shankar Vidyarthi**: Has any representation been made to the Government from any rural area that honorary magistrates, like other paid Government servants, should not be allowed to stand as candidates for election to the Legislative Council?

**The Hon'ble Sir Sam O'Donnell**: Yes; from the Kisan Sabha of village Media, in the Mirzapur district.

POEM "SHUDDHI KI HAQIQAT."

\*60. **Sri Ganesh Shankar Vidyarthi:** (a) Has the attention of the Government been drawn to a poem, "Shuddhi ki haqiqat," published in the *Muslim Sewak* of Agra, dated January 24, 1927?

(b) Will the Government be pleased to state what steps they are going to take as regards the poem?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) Yes.

(b) The issue of the newspaper has been proscribed and the prosecution of the editor ordered.

PROSECUTIONS OF EDITORS AND PUBLISHERS OF NEWSPAPERS.

\*31. **Sri Ganesh Shankar Vidyarthi:** Will the Government be pleased to state how many persons were prosecuted in the year 1926 under section 153-A, Indian Penal Code, and how many of them were editors and publishers of newspapers?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The answer is three and one, respectively. In the latter case the prosecution was withdrawn on apology.

\*62. **Sri Ganesh Shankar Vidyarthi:** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

CRIMINAL TRIBES.

\*63. **Sri Ganesh Shankar Vidyarthi:** (a) Will the Government be pleased to state what is the number of the persons who, as belonging to so-called criminal tribes, are under any amount of surveillance of the police?

(b) Is it a fact that a member of the criminal tribe gets rid of being shadowed from the police as soon as he changes his religion?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) At the close of 1925, 36,551 persons were registered under the Criminal Tribes Act. Of these 2,377 were restricted to settlements, and the remainder were liable to police surveillance.

(b) No.

SHADOWING OF PERSONS BY C. I. D.

\*64. **Sri Ganesh Shankar Vidyarthi:** Will the Government be pleased to state—

(a) how many persons were shadowed by the C. I. D. in the year 1926 on account of their political public activities;

(b) what amount of money had the Government to spend for this piece of work;

(c) how many persons of the C. I. D. had this sole duty to perform?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) No persons were shadowed by the Criminal Investigation Department on account of their political public activities.

(b) Does not arise.

(c) Does not arise.

**Sri Ganesh Shankar Vidyarthi :** Were any persons shadowed by the district police ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware. I require notice of the question.

**Pandit Brijnandan Prasad Misra :** Were any buildings haunted by them ?

(No answer.)

**\*65. Sri Ganesh Shankar Vidyarthi :** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

#### DIET TO INFIRM PRISONERS.

**\*66. Sri Ganesh Shankar Vidyarthi :** (a) Is it a fact that the prisoners treated as "infirm" used to get formerly wheat bread and wheat *dalia* in their dinners and breakfasts, but now this diet has been abolished ? If so, why has it been abolished and what is the new substitute ?

(b) Is it a fact that the infirm prisoners have to work now like an ordinary labouring prisoner, but they get the diet of non-labouring prisoners ?

(c) Is it a fact that the prisoners are compelled to get their moustaches cut close ?

(d) Is it a fact that in their letter which the prisoners have a right to send to their relatives or friends after a fixed period they are not allowed to inform them of their illness ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) There is no provision in the Jail Manual for *dalia*, but it is usually given to prisoners who have few or no teeth. The giving of wheat diet in the form of wheat bread and *dalia* to infirm prisoners has not been abolished.

(b) Infirm prisoners are put to light labour only. Under rule 1056 of the Jail Manual such prisoners may be given the diet of non-labouring prisoners. This is, however, only done when the full diet is beyond their powers of assimilation.

(c) The honourable member is referred to rule 448 of the Jail Manual. The rule has now been modified and applies only to prisoners sentenced to rigorous imprisonment for a term exceeding two months.

(d) No. The honourable member is referred to rules 1036 and 1024 of the Jail Manual.

**Lala Nemi Saran :** Why has gram been substituted for *dalia* ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I have not said that it was substituted, I have said that *dalia* is given to infirm prisoners.

**Lala Nemi Saran :** So it was never given to any others but infirm prisoners ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think it was given to healthy people. The question refers to infirm prisoners.

**The Hon'ble the President :** The question asks about infirm the other question does not arise at all.



TREATMENT OF PANDIT KRISHNA GOPAL SHARMA OF JHANSI IN  
NAINI JAIL.

\*67. **Sri Ganesh Shankar Vidyarthi** : Is it a fact that Pandit Krishna Gopal Sharma of Jhansi, who serves his sentence in the Naini Jail under Arms Act, has been recently abused filthily by a warder, and, when he complained of this treatment to the higher authorities, he was put under greater hardship ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The answer is in the negative.

\*68 and \*69. **Sri Ganesh Shankar Vidyarthi** : (*Postponed at the request of Government till the meeting of Council on April 2, 1927.*)

SPECIAL DIET TO EUROPEAN PRISONERS AT CHRISTMAS.

\*70. **Sri Ganesh Shankar Vidyarthi** : Is it a practice that European prisoners get a special diet worth about rupees two at Christmas from superintendent's funds, while the Indian prisoners get a very small piece of *gur* as their holiday presents at *Id*, *Holi*, etc.?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The answer is in the negative.

**Babu Sampurnanand** : Is a special diet given to European prisoners ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The answer is that no special diet is given to them on Christmas Day.

**Babu Sampurnanand** : Is any special diet given to Indian prisoners for *Id* or *Holi*, etc.?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : I am not aware. This does not arise from the question.

**Babu Sampurnanand** : It is here in the question itself.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : My information is that no special diet is given to any of these prisoners on occasions of festivals. *Gur* is sometimes given to prisoners, but this is rather as a sort of treat.

\*71. **Sri Ganesh Shankar Vidyarthi** : (*Postponed at the request of Government till the meeting of Council on April 2, 1927.*)

RIVER POLLUTION AT CAWNPORE AND BENARES.

\*72. **Sri Ganesh Shankar Vidyarthi** : Have the Government received any representation for the check of river pollution at Cawnpore and Benares ?

**The Hon'ble Rai Rajeshwar Bali** : A representation was received in 1918 and related to Cawnpore alone.

**Sri Ganesh Shankar Vidyarthi** : Do Government intend to take any steps on the recommendation ?

**The Hon'ble Rai Rajeshwar Bali** : If we receive any well-considered definite schemes from the Trust.

## HONORARY MAGISTRATES IN BAHRAICH.

\*73. **Khwaja Khalil Ahmad Shah:** Will the Government be pleased to give out the names of the magistrates of the bench of honorary magistrates, Bahraich, setting forth the educational qualifications of each of them, particularly the educational test which each of them has passed?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** A statement is laid on the table.

(See Appendix D, page 607.)

\*74. **Khwaja Khalil Ahmad Shah:** Is it a fact that one of the members of the bench above mentioned is unable to read even the judgments bearing his own signatures?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** No.

\*75. **Khwaja Khalil Ahmad Shah:** (a) Will the Government be pleased to state whether all the members of the Bahraich bench of honorary magistrates are literate up to the standard contemplated in the Government notification?

(b) If the answer to part (a) be in the negative in respect of any of them, will the Government kindly state the reason for contravening the said notification by appointing the persons referred to in question No. 74 as a member of the said bench?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) Yes; all are conversant with one or more of the vernaculars and can conduct their court proceedings with intelligence.

(b) Does not arise.

## SARDAR AUTAR SINGH, HONORARY MAGISTRATE, BHINGA, BAHRAICH.

\*76. **Khwaja Khalil Ahmad Shah:** (a) Is the Government aware that the District Magistrate, Bahraich, passed an order to the effect that no cases were to be sent to the court of Sardar Autar Singh, honorary magistrate of 1st class, Bhinga, district Bahraich, till further orders?

(b) If so, will the Government be pleased to lay the said order of the district magistrate on the table and kindly state the reasons for that order together with the recommendation, if any, which subsequently resulted in the cancellation of that order?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (a) In December, 1924, the District Magistrate of Bahraich passed an order that no criminal cases should be sent to the court of Sardar Autar Singh, honorary magistrate, until further orders.

(b) A copy of the order which gives the reasons is laid on the table.

On July 6, 1925, the district magistrate issued orders that criminal cases should again be sent to Sardar Autar Singh. The honorary magistrate had represented to the district magistrate that he had now more leisure for case work and had given an assurance that the delays, which had previously taken place and which, according to him, were due to family reasons necessitating his periodical absence from Bahraich, would not recur.

(See Appendix E, page 607.)

\*77. **Khwaja Khalil Ahmad Shah**: Will the Government kindly lay a statement on the table setting forth the following facts :—

- (a) Total number of cases instituted or transferred to the file of the honorary magistrate referred to in the foregoing question in the year 1925-26.
- (b) The dates of institution of all the above cases together with their respective dates of the final decisions.
- (c) The number of hearings in each case?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: (a) One hundred and ninety-five cases were instituted in or transferred to the court of the honorary magistrate in 1925, including 30 cases pending from 1924. The figures for 1926 are 259, including fifteen cases pending from 1925.

(b) and (c) The number of cases pending over six weeks was eighteen in 1925 and twelve in 1926. In respect of these 30 cases the information required is given in the statement laid upon the table. The preparation of such a statement for the other 409 cases which came before the court in the two years in question would entail an enormous amount of labour, which Government are not prepared to undertake.

(See Appendix F, page 608.)

**THOMASON CIVIL ENGINEERING COLLEGE, ROORKEE.**

\*78. **Nawabzada Muhammad Liaqat Ali Khan**: Will the Government be pleased to state the number of teaching, instructing, and demonstrating staff at the Thomason Civil Engineering College as follows :—

- (a) Imperial service grade —
  - (i) Hindus.
  - (ii) Muslims.
  - (iii) Sikhs, Christians, etc.
- (b) Provincial and subordinate service grades—
  - (i) Hindus.
  - (ii) Muslims.
  - (iii) Sikhs, Christians, etc.

**The Hon'ble Rai Rajeshwar Bali**: The honourable member is referred to pages 10—12 of the Calendar of the Thomason Civil Engineering College, Roorkee, for the year 1926.

\*79. **Nawabzada Muhammad Liaqat Ali Khan**: [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

\*80. **Nawabzada Muhammad Liaqat Ali Khan**: (1) Is it a fact that all the clerks in the office staff of this College and its press and workshop are Hindus?

(2) If not, will the Government be pleased to state the number of Muslim members of this staff?

**The Hon'ble Rai Rajeshwar Bali**: (1) and (2) Government have no information.

## MUZAFFARNAGAR DISTRICT.

\*81. Nawabzada Muhammad Liaqat Ali Khan : Will the Government be pleased to place on the table a statement containing the following information regarding Muzaffarnagar district ? :—

Population.	Government revenue.			Expenditure on primary education.				Expenditure on all education, excluding maktabas.				Number of schools.		Number of teachers employed.				Number of students on register.				Maktabas.	
	Municipal areas.	Rural areas.	Total.	Land revenue.	Other sources.	Total.	District board grants.	Municipal grants.	Government grants.	Total.	Government grants to maktabas.	Primary schools.	Other schools, excluding maktabas.	Hindus.	Muslims.	Hindus.	Muslims.	Primary schools.	Other schools, excluding maktabas.	Hindus.	Muslims.	Number of students.	Number of maktabas.
	Hindus.	Muslims.	Total.				District board grants.	Municipal grants.	Government grants.	Total.		Primary schools.	Other schools, excluding maktabas.	Hindus.	Muslims.	Hindus.	Muslims.	Primary schools.	Other schools, excluding maktabas.	Hindus.	Muslims.	Number of students.	Number of maktabas.

The Hon'ble Rai Rajeshwar Bali : The collection of the information which the honourable member requires would entail an amount of labour which would be disproportionate to its value. Moreover, even when the information is collected, it will be of purely local interest.

CHIEF INSPECTOR OF FACTORIES AND BOILERS, UNITED PROVINCES.

\*82. **Rai Bahadur Babu Vikramajit Singh** : Is it a fact that the Chief Inspector of Factories and Boilers, United Provinces, is going on leave preparatory to retirement ? If so, is it proposed to advertise for the post ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Government are not aware that Mr. Swinchatt is going on leave preparatory to retirement. The second part of the question does not arise.

\*83. **Rai Bahadur Babu Vikramajit Singh** : What qualifications are required for the post ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The honourable member is referred to notification No. 2644-M., dated September 5, 1924, a copy of which is laid on the honourable member's table.

(See Appendix G, page 610.)

\*84. **Rai Bahadur Babu Vikramajit Singh** : Will the Government consider the question of appointing an Indian to the post ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : As there is no vacancy at present the question does not arise.

REPORT OF THE COURT OF WARDS ACT COMMITTEE.

\*85. **Raja Jagannath Bakhsh Singh** : Will the Government be pleased to state the conclusions arrived at on the report of the Court of Wards Act Committee published in the Gazette of May 1, 1926 ?

**The Hon'ble Sir Sam O'Donnell** : The honourable member is referred to the statement made by me in the debate on the Court of Wards budget grant on March 12, 1927.

BADRI NATH TEMPLE.

\*86. **Raja Jagannath Bakhsh Singh** : Did the Commissioner, Kumaun division, make any proposals to the Government in 1925 or 1926 with regard to the future management of the Badri Nath temple ?

\*87. Will the Government be pleased to state what those proposals were, and whether they were accepted by the Government or not ? If not, what were the grounds for rejecting them ?

\*88. Have any further proposals been received from the Commissioner ? If so, to what effect ?

**The Hon'ble Sir Sam O'Donnell** : No official proposals were received from the Commissioner, and the other questions do not arise.

ADMINISTRATION REPORTS OF THE MUNICIPAL BOARD, CAWNPORE.

\*89. **Haji Abdul Qayum** : (1) Will the Government be pleased to ascertain and state if it is a rule that the annual administration report of the municipality should be submitted by the board on or before May 15 in each year ?

(2) If so, has such a report for the year 1925-26 been submitted by the Cawnpore municipal board ? If so, when and on what date was it passed by the board ?

**The Hon'ble Nawab Muhammad Yusuf :** (1) Yes, it is a rule that the annual administration reports of municipalities should be submitted by boards on or before May 15.

(2) The Cawnpore municipal board submitted its report for 1925-26 to the Commissioner on June 4, 1926. The report was not formally passed by the board.

**\*90. Haji Abdul Qayum :** Is it a fact that the chairman of the Cawnpore municipal board this year convened a special meeting of the board on May 14, 1926, merely to pass the statement and appendices accompanying the report and not the report ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**\*91. Haji Abdul Qayum :** Is it a fact that the administration report of a municipality is a report by the chairman and not by the board ?

**The Hon'ble Nawab Muhammad Yusuf :** The honourable member is referred to the answer to starred question No. 7 of June 13, 1926.

**\*92. Haji Abdul Qayum :** (1) Is it a fact that Mr. Hazir Ali, a member of the Cawnpore municipal board, drew the attention of the Government and the Commissioner to this irregularity of the chairman of the municipality ?

If so, what action did the Government or commissioner take to enforce the Government rules printed in the Municipal Manual for the preparation and submission of the annual administration reports ?

**The Hon'ble Nawab Muhammad Yusuf :** (1) Yes.

(2) The Government have amended rule 4 of the rules relating to annual administration and sanitary reports in order to make it more clear that annual administration reports should be considered and passed by the boards.

**\*93. Haji Abdul Qayum :** [*Postponed at the request of Government till a later date.*]

**\*94. Mr. C. Y. Chintamani :** [*Postponed at the request of Government till a later date.*]

#### GRANT TO DISTRICT BOARD FOR PRIMARY AND MIDDLE SCHOOL BUILDINGS.

**\*95. Mr. C. Y. Chintamani :** Will the Government be pleased to state what amount has been given by them (the Hon'ble Ministers) as grants to district boards during the last ten years for (a) primary school buildings, and (b) middle school buildings ?

**The Hon'ble Rai Rajeshwar Bali :** The amounts for the years 1919-20 to 1926-27 are—

			Rs.
Primary school buildings	...	...	26,50,000
Middle school buildings	...	...	21,75,000

Figures for the years 1917-18 and 1918-19 are at present not available.

EDUCATION CODE.

\*96. **Mr. C. Y. Chintamani:** (a) For how long has the Education Code been under revision ?

(b) When were the committee to revise the Code appointed ?

(c) When did they submit their report ?

(d) When does the Hon'ble Minister hope to pass orders on the same ?

(e) When may the public hope to have printed copies of the revised Code ?

**The Hon'ble Rai Rajeshwar Bali:** (a) Since 1924.

(b) November, 1922.

(c) December, 1923.

(d) Orders have been passed.

(e) Within the next few months.

\*97. **Mr. C. Y. Chintamani:** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

TRAINING COLLEGE BUNGALOW AT ALLAHABAD.

\*98. **Mr. C. Y. Chintamani:** (a) What were the conditions on which the Director of Public Instruction was allowed to occupy the Training College bungalow at Allahabad, and what are the conditions on which he now occupies it ?

(b) When were the conditions altered, if they were, and why ?

(c) Will the Hon'ble Minister be pleased to reconsider the conditions ?

**The Hon'ble Rai Rajeshwar Bali:** (a) A copy of the Government orders laying down the conditions on which the Director of Public Instruction was allowed to occupy the bungalow and the conditions on which he now occupies it is laid on the table of the honourable member. In amplification of the latter conditions, Government ruled that the Director must pay rent for the period October 15 to April 15, whether in actual occupation of the bungalow or not, and rent for the period of actual occupation from April 15 to October 15.

(b) With effect from 1925. Because of the Director's appointment as Deputy Secretary *ex-officio*.

(c) No ; the revised conditions apply to all deputy secretaries.

(See Appendix H, page 611.)

RAI BAHADUR ABHAYA CHARAN MUKERJI.

\*99. **Mr. C. Y. Chintamani:** Will the Hon'ble Minister for Education be pleased to explain the nature of the "other proposals for remedying the hardship" in the case of Rai Bahadur Abhaya Charan

Mukerji which, according to his statement of January 26 last, "are under the consideration of the Government?" When will they be given effect to, and with effect from what date?

**The Hon'ble Bai Rajeshwar Bali:** Government are unable to make any statement at present.

\*100. **Mr. C. Y. Chintamani:** [*Postponed at the request of Government till the meeting of Council on April 2, 1927.*]

#### ADVISORY COMMITTEES FOR FARMS.

\*101. **Mr. C. Y. Chintamani:** (a) Has every experimental and demonstration farm an advisory committee attached to it?

(b) Who is the chairman and who is the secretary of each of such committees?

(c) How many times in each year since 1923 have those committees met?

(d) Is a record kept of their proceedings, and is it submitted to the head of the department and to the Government?

(e) In how many cases has their advice been accepted and followed; in how many cases rejected, and in how many ignored?

**The Hon'ble Thakur Rajendra Singh:** (a) Every experimental farm and the principal demonstration farms have farm committees.

(b) Non-official gentlemen nominated by Government are chairmen. The farm superintendent is secretary.

(c) A list of meetings held is laid on the honourable member's table.

(d) The proceedings are recorded and forwarded to the director.

(e) Their advice has been accepted and acted upon in nearly every case. It is always carefully examined, and, when it is not possible or advisable to accept it, the reasons are explained to the committee.

(See Appendix I, page 612.)

#### ADVISORY COMMITTEES FOR PUBLIC GARDENS.

\*102. **Mr. C. Y. Chintamani:** Will the Hon'ble Minister be pleased to give similar information under each head with reference to advisory committees attached to public gardens?

**The Hon'ble Thakur Rajendra Singh:** (a) Yes.

(b) The Commissioner is chairman. The superintendent of the garden is secretary.

(c) A list of meetings is laid on the honourable member's table.

(d) Yes.

(e) The information is not available and will take some time to collect.

(See Appendix J, page 612.)

**Mr. C. Y. Chintamani:** Will the Hon'ble Minister be pleased to collect it?

**The Hon'ble Thakur Rajendra Singh:** Yes.



AMOUNT AT THE DISPOSAL OF THE BOARD OF LOAN COMMISSIONERS.

\*103. **Mr. C. Y. Chintamani :** (a) What amounts have been annually placed at the disposal of the Board of (Industrial) Loan Commissioners since 1923-24, and what loans have been given by them or on their recommendations ?

(b) Do they submit annual reports to the Governments ? If they do, will they be placed on the table ?

(c) How many times have they met since they were first constituted ?

**The Hon'ble Thakur Rajendra Singh :** (a) 1923-24—Two lakhs.

1924-25—Two lakhs.

1925-26—One lakh.

1926-27—One lakh.

The following loans have been given on their recommendation :—

	Rs.
(i) Allahabad Law Journal Company, Limited, Allahabad ...	22,000
(ii) Shri Maha Lakshmi Sugar Corporation, Limited, Lucknow ... ..	1,20,000
(iii) Mr. Bhagwat Prasad Srivastawa of Basti for preparing a working model of an automatic spinning machine invented by him ... ..	2,000
(iv) Mr. Radha Krishna Bhargava of Muttra for starting a match factory ... ..	5,000
(v) The Indian Bobbin Company, Limited, Cawnpore ...	80,000

(b) No.

(c) Nine.

CHAIRMAN OF THE COMMITTEES OF TECHNICAL AND INDUSTRIAL SCHOOLS.

\*104. **Mr. C. Y. Chintamani :** Of how many committees of technical and industrial schools are the chairmen officials ? What are those schools and who those officials ? And why have they been appointed contrary to Government policy ?

**The Hon'ble Thakur Rajendra Singh :** A list is laid on the honourable member's table. The answer to the last part of the question is in the negative.

(See Appendix K, page 613.)

TOTAL ABSTINENCE.

\*105. **Mr. C. Y. Chintamani :** Will the Hon'ble Minister for Excise be pleased to state what steps have been taken and are under consideration to give effect to the various proposals embodied in this Council's resolution of January 25 last on total abstinence which was accepted by him on behalf of the Government ?

**The Hon'ble Thakur Rajendra Singh :** The honourable member is referred to the reply given on March 11, 1927, to starred question No. 2(4) asked by Khan Bahadur Hafiz Hidayat Husain, and on 1927, to unstarred question No. 1 asked by Pandit Govind Pant.

*Copy of starred question No. 2(4) asked on March 11, 1927, and the reply given thereto.*

QUESTION.

\* 2(4) What measures do Government propose to adopt to successfully work its policy of restriction?

REPLY.

\* Government will continue its existing policy and will take such other measures as they may consider necessary from time to time.

*Copy of unstarred question No. 1 asked on March 9, 1927, and the reply given thereto.*

QUESTION.

Will the Government lay on the table a draft of the Local Option Bill which it had promised to introduce in the Council?

REPLY.

A Bill embodying the principle of local option will be circulated for public opinion at an early date.

ASPHALTING OF ROADS IN LUCKNOW.

\* 106. **Rai Bahadur Babu Vikramajit Singh:** Will the Government be pleased to state what amount of money it has spent for asphaltting the roads in the city of Lucknow?

\* 107. What is the length of the roads thus constructed and what is the amount of money spent on each road?

\* 108. Does the Government propose asphaltting any further roads in Lucknow in the near future?

\* 109. What share, if any, did the municipality of Lucknow bear towards the cost of asphaltting?

\* 110. What share, if any, did the Improvement Trust of Lucknow bear towards the cost of asphaltting?

\* 111. Have the railway authorities asphalted any roads in Lucknow, and, if so, which?

\* 112. Does the Government intend to bear the cost, whole or any portion, in asphaltting any roads in Cawnpore? If so, what amount does the Government propose to spend during the year 1927-28.

**The Hon'ble Nawab Muhammad Yusuf:** The information is being collected. A reply will be given on a subsequent date.

CATTLE GRAZING FEES IN GONDA FOREST DIVISION.

\* **Raghuraj Singh:** Is it a fact that cattle grazing fees - almost doubled in the Tikri, Bankatwa, Janakpur of the Gonda Forest division?

If so, will the Government kindly state the reasons and circumstances that led to the change in rules?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes; in the Bankatwa, Jarakpur and Bhambar ranges the fees were formerly at the very inadequate rate of annas two for a cow or bullock, and annas four for a buffalo. In 1925 a lease of the grazing dues in these ranges was given to the Balrampur estate for a lump sum payable annually; and the management of the estate raised the grazing fees to a reasonable level. In the Tikri range grazing was limited to six months in the year in order to conserve the thatching grass, but on a petition from the villagers they were allowed to graze on extra payment during the prohibited six months.

**\* 114. Raja Raghuraj Singh :** Is it a fact that this action has seriously affected the tenantry of the Balrampur, Mankapur and other adjoining estates, and has created dissatisfaction?

If so, what action does the Government propose to take in the matter?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There is no evidence that the increased charge has seriously affected the tenantry of the adjoining estates, or that it has created any dissatisfaction other than such as is always felt, when a person is asked to pay more than he did before.

**CASES UNDER SECTIONS 107, 109, AND 110 OF THE CRIMINAL PROCEDURE CODE IN LALITPUR.**

**\* 115. Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state—

(a) the number of cases tried under sections 107, 109 and 110 of the Criminal Procedure Code in Lalitpur sub-division since the time Mr. Brown took over charge;

(b) the number of the said cases which resulted in conviction and in acquittal;

(c) the number of such cases which were launched against zamindars and income-tax payers?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a)

Section 107, Cr. P. C. ...	...	...	7 cases.
Section 109, Cr. P. C. ...	...	...	5 "
Section 110, Cr. P. C. ...	...	...	13 "

(b) Cases under the preventive sections do not result in conviction or acquittal, but in binding over or discharge. Five of the seven cases under section 107, Cr. P. C., resulted in binding over and two in discharge. All five cases under section 109 and all thirteen cases under section 110 resulted in binding over.

(c) Two cases under section 107 and four cases under section 110 were against zamindars. One case under section 107 was against income-tax payers.

**\* 116. Pandit Bhagwat Narayan Bhargava :** Is the Government aware that Mr. Brown has bound down several persons of Mahroni last year, including one sub-assistant surgeon?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes. The persons bound over included a Hindu sub-assistant surgeon and a Muhammadan sub-overseer.

\* 117. **Pandit Bhagwat Narayan Bhargava :** Did the joint magistrate take sanction of the Government for binding down the sub-assistant surgeon?

If not, does the Government approve of the action of the joint magistrate?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No sanction is required under the Criminal Procedure Code. Government cannot express opinions in regard to the judicial acts of courts.

\* 118. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that the district magistrate cancelled the bonds of some? If so, on what ground?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Some of the bonds were cancelled in appeal by the sessions judge, who, however, refused to interfere in the case of the sub-assistant surgeon. The district magistrate has now cancelled the remainder on the grounds that two of the persons bound over no longer reside at Mahroni and that the dispute has been settled.

#### CONFISCATION OF ARMS LICENCE OF JAGANNATH PRASAD OF ALAPUR IN LALITPUR.

\* 119. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that the said joint magistrate had confiscated the arms licences of one Jagannath Prasad of Alapur in Lalitpur sub-division and removed him from mukhiaship? If so, on what grounds?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes; the reasons were (1) that Jagannath Prasad had threatened the station officer of police station Jakhaura with his gun because the latter had prosecuted his nephew, and (2) that he had taken his gun into a village in order to intimidate the prosecution witnesses in the case referred to.

\* 120. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the district magistrate upset the orders of the joint magistrate? If so, for what reason?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes, on the grounds that Jagannath Prasad had been a lambardar for many years and that he had been able to produce a supervisor qanungo in his defence.

\* 121. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that subsequently a case under section 110 of the Criminal Procedure Code was started against him?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes. Jagannath Prasad was subsequently bound over under section 110, Cr. P. C., and the order of the joint magistrate has been upheld on appeal.

\* 122. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state what amount of revenue does this Jagannath Prasad pay and whether he is a muafidar also?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Jagannath Prasad is not a muafidar. He paid Rs. 100-10 as land revenue and cesses as lambardar for 1334 *Fasli*.

GRANT-IN-AID FOR AYURVEDIC AND UNANI DISPENSARIES TO  
JHANSI DISTRICT BOARD.

\* 123. **Pandit Bhagwat Narayan Bhargava :** (1) How much grant-in-aid does the Government give to the Jhansi district board for ayurvedic and unani dispensaries, and (2) how much expenditure has the board provided in its budget for the next year on indigenous medical institutions ?

**The Hon'ble Rai Rajeshwar Bali :** (1) In 1926-27 Government gave a grant of Rs. 1,500 and the saving of Rs. 1,355 due to the abolition of travelling dispensaries was also allowed to be utilized for the purpose.

(2) Rupees 8,356.

MAU-PUNCH ROAD.

\* 124. **Pandit Bhagwat Narayan Bhargava :** (1) Is the Government aware that the condition of Mau-Punch metalled road is very bad ?

(2) Is it a fact that there is much traffic on the road ?

(3) What is the total length of this road ?

(4) How much has the district board provided for the renewal of this road in its next year's budget ?

**The Hon'ble Nawab Muhammad Yusuf :** (1) The condition of Mau-Punch metalled road is not very bad, but it is deteriorating on account of heavy lorry traffic.

(2) Yes.

(3) Forty miles.

(4) Rupees 4,200.

PAY OF JHANSI DISTRICT BOARD SERVANTS.

\* 125. **Pandit Bhagwat Narayan Bhargava :** (1) Is it a fact that the pay of Jhansi district board servants, specially teachers and pound-keepers, is not paid out regularly every month ?

(2) Will the Government state the dates for the last six months when the teachers and pound-keepers got their pay ?

(3) Will the Government be pleased to state the total expenditure of the board on general establishment and also on public works department ?

(4) What is their annual income from cess rates.

**The Hon'ble Nawab Muhammad Yusuf :** (1) Yes.

(2) A statement containing the required information is laid on the honourable member's table.

(3) The total expenditure on general administration is Rs. 20,028 and on public works direction Rs. 18,759.

(4) Rupees 66,848.

(See Appendix L, page 614.)

JOINT SECRETARY TO JHANSI DISTRICT BOARD.

\* 126. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if the Commissioner of Jhansi division has objected to the appointment of a joint secretary to the Jhansi district board, or has he approved of it ? If so, on what grounds ?

**The Hon'ble Nawab Muhammad Yusuf :** The Commissioner at first objected to the appointment of a joint secretary on legal and financial grounds, but when the chairman explained to him that it was intended to appoint an assistant and not a joint secretary and that the secretary was unable to cope with the work without an assistant, he withdrew his objection.

#### ANNUAL REPAIRS TO INSPECTION HOUSES, SCHOOLS AND POUNDS IN JHANSI.

\*127. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if annual repairs have been done to the inspection houses, schools and pounds in Jhansi in this year? If so, to how many?

**The Hon'ble Nawab Muhammad Yusuf :** Annual repairs have been done to only four inspection houses and ten schools during the current year.

#### NIGHT SCHOOLS FOR DEPRESSED CLASSES.

\*128. **Babu Ram Charana :** Will the Government be pleased to state the total number of night schools in the rural and urban areas of the different districts of these provinces?

How many of them are depressed class schools?

What was the total number of students reading in these schools on January 1, 1927?

What was the number of depressed class students in them?

What was the total number of teachers and what was the number of depressed class teachers out of these?

**The Hon'ble Rai Rajeshwar Bali :** The information is not yet complete.

#### VILLAGE *panchayats*.

\*129. **Babu Ram Charana :** Will the Government be pleased to state the total number of village *panchayats* in the different districts of these provinces? How many *panches* and *sarpanches* out of these belong to the depressed classes in each *panchayat*? Will the Government be pleased to give the names and castes of such depressed class *panches* and *sarpanches*?

**The Hon'ble Nawab Muhammad Yusuf :** The information required is not yet complete. An answer will be given on a subsequent date.

\*130 to \*132. **Pandit Nanak Chand :** [*Of Nos. \*94 to \*96 of March 4, 1927.*]

#### ACTION TAKEN ON RESOLUTION PASSED BY PUBLIC HEALTH CONFERENCE.

\*133. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state what action it has taken on the various resolutions passed by the Public Health Conference held at Naini Tal in the month of September, 1925?

**The Hon'ble Rai Rajeshwar Bali :** The Government are continuing the policy which the conference considered essential of furnishing district health staffs for service under the district boards. Seventeen

districts have now been staffed. Proposals for provincializing the health officers will be given effect to if the Council approve them. The staff is directly under the district boards which are responsible for their effective employment in general sanitary work on the lines recommended by the conference, for placing funds at their disposal and for supervising the details of the work which they carry out. The boards are assisted by the advice of Public Health department. The Hygiene Publicity Bureau organizes the propaganda which the whole Public Health staff of the district boards is required to undertake on the lines recommended by the conference.

The Public Health department have distributed plans of model houses to the district boards. The department has prepared a book on school hygiene and pamphlets for use in schools. Arrangements have been made by the Education and Public Health departments for the training of teachers in hygiene and for the medical examination of school children. The Medical Health and Public departments have issued circulars to secure co-operation between the district health staff and the civil surgeons and medical authorities. A hygiene institute fully equipped for research and for the training of medical officers of health and sanitary inspectors is being constructed. The department of Public Health have prepared projects for anti-malarial schemes and local anti-malarial surveys have been prepared by district medical officers of health for which the Board of Health have made grants amounting to Rs. 34,000. The district boards have been addressed on the question of making by-laws to prevent dangerous excavations in malarial tracts. No practical measure, have yet been devised for keeping *guls* clear of weeds as these *guls* are not directly controlled by the Irrigation department.

### UNSTARRED QUESTIONS.

#### POEM "SHUDDHI-KI-HAQIQAT."

1. **Babu Uma Shankar** : Is it a fact that a Muslim weekly paper called *Muslim Sewak* is published at Agra ?

**Mr. G. B. Lambert** : Yes.

2. **Babu Uma Shankar** : Has the attention of the Government been drawn to a poem "Shuddhi-ki-haqiqat" published in the above paper in its issue of January 24, 1927 ?

**Mr. G. B. Lambert** : Yes.

\*3. **Babu Uma Shankar** : Has the attention of the Government been drawn to the fact that the author and publisher of the poem "Shuddhi-ki-haqiqat" is one Abdul Karim of Agra ?

**Mr. G. B. Lambert** : The attention of Government has been drawn only to the fact that he is the editor of the paper.

4. **Babu Uma Shankar** : Is it a fact that several meetings have been held by the Arya Samajists and the Hindus condemning the author and the poem ?

**Mr. G. B. Lambert** : Yes.

5. **Babu Uma Shankar**: Is it also a fact that the Arya Samajists of Agra and Fatehpur in their meetings denounced Abdul Karim and passed resolutions requesting the Government to prosecute Abdul Karim and proscribe the said poem?

**Mr. G. B. Lambert**: A number of protests were received, including one from the Arya Samaj, Agra.

6. **Babu Uma Shankar**: (1) Does the Government contemplate to take the above action?

(2) If yes, when; if not, why not?

**Mr. G. B. Lambert**: The issue of the newspaper in which this poem appeared has been proscribed and the prosecution of the editor ordered.

#### POLICE OFFICERS AT CAWNPORE.

7. **Sri Ganesh Shankar Vidyarthi**: (a) Will the Government be pleased to state how many police officers of and above the grade of head constable are stationed at Cawnpore?

(b) How many of them with their respective grades, are Hindus and Muhammadans respectively?

**Mr. G. B. Lambert**: (a) One hundred and fifty-seven.

(b) A statement is laid upon the table.

(See Appendix M, page 615.)

#### CADRE OF INSPECTING STAFF OF THE EDUCATION DEPARTMENT.

8. **Babu Shyam Lal**: (1) Is it a fact that the cadres of the inspecting and teaching officers of the provincial service of the Education department are quite separate?

(2) If so, will the Government be pleased to state the reasons which led to the passing over of the claims of inspecting officers while appointing a successor to Babu Brijbasi Lal, Assistant Inspector of Schools, Kumaun division, and selecting a head master in the place?

**Kunwar Jagdish Prasad**: (1) No.

(2) Does not arise.

#### PROVINCIAL POSTS IN EDUCATION INSPECTING LINE.

9. **Babu Shyam Lal**: Is it a fact that there are very few provincial posts in inspecting line as compared with the teaching line?

**Kunwar Jagdish Prasad**: Yes.

#### REPRESENTATION OF REDUCTION OF TRAVELLING ALLOWANCE RATES.

10. **Babu Shyam Lal**: Did the Government receive representations from the United Provinces Provincial Executive Service and other departments on the reduction of travelling allowance rates? If so, from which departments?

**Mr. G. B. Lambert**: Representations were received from the United Provinces Provincial Executive Service and also in six other departments, namely, Forest, Agriculture, Industries, Education, Irrigation and Buildings and Roads.



11. **Babu Shyam Lal** : What action has been taken by the Government? Does the Government intend to take any action, and when?

**Mr. G. B. Lambert** : The points raised were points of detail. They were accepted in some cases, rejected in others, and are under consideration in two cases.

RELATIVE POSITION OF PROFESSORS TO THE PRINCIPAL, AGRICULTURAL COLLEGE, CAWNPORE.

12. **Khan Bahadur Hafiz Hidayat Husain** : What is the exact relation of (1) Plant Pathologist, (2) Entomologist, (3) Economic Botanist and (4) Agricultural Chemist of the Agricultural College, Cawnpore, to the Principal of the college? Are these officers subordinate to the Principal? If not, what control has the Principal of the college got over these officers? In what respects do the positions of these officers differ from the professors of ordinary colleges working under the Principal of that college?

**Kunwar Jagdish Prasad** : The relative position of these officers to the Principal is as follows :—

Subject to the control of the governing body in consultation with the Principal, the officer in charge of each section organizes and controls the teaching of his section in accordance with the prescribed curriculum and controls the expenditure of the grants allotted in the budget.

The following matters are dealt with exclusively by the Principal :—

- (1) Discipline.
- (2) Control of the boarding houses and dining halls, and of the students associations and recreations.
- (3) Care of grounds and surroundings of the college.
- (4) Time table of studies.

PAY OF THE COURT AND TAHSIL PEONS AND CHAPRASIS IN KUMAUN.

13. **Pandit Badri Dutt Pande** : (a) What is the present pay of the court and tahsil peons and chaprasis in the Kumaun division?

(b) Has any representation been received from these people?

(c) If so, what action has Government taken or is it likely to take?

**Mr. H. A. Lane** : Government, on receiving representations, raised the pay of the chaprasis and peons, excluding process-servers, of the revenue department of the Kumaun division from Rs. 10-8 to Rs. 12, and of jamadars from Rs. 16 to Rs. 18 with effect from April 1, 1926. The case of the process-servers of Kumaun is under consideration as part of a general question.

AVERAGE CONSUMPTION OF CERTAIN ARTICLES.

14. **Pandit Badri Dutt Pande** : Will the Government be pleased to say what is the average yearly consumption for the last three years in

the United Provinces of the following articles in quantity as well as in rupees, annas and pies? :—

1924. 1925. 1926.

(a) Tobacco (country)	...	...
(b) Cigars	...	...
(c) Cigarettes	...	...
(d) Wine (country)	...	...
(e) Wine, British and imported	...	...
(f) Charas	...	...
(g) Opium	...	...
(h) Bhang and ganja...	...	...
(i) Chandu	...	...

**Kunwar Jagdish Prasad :** (a) (b) and (c) Government have no information.

As regards the remaining parts of the question, such information as is available is given below. The figures for cost are only a rough estimate based on the figures of consumption of the year 1924-25.

Articles.	Average consumption of the last three years.		Cost (1924-25). Rs.
(d) Wines (country spirit)	400,637	L.P. gallons	76,95,000
(e) Wines ...	17,435	gallons	35,00,000
Spirits ...	68,510	"	
Beer ...	214,210	"	
(f) Charas ...	29,667	seers	41,15,000
(h) Ganja ...	9,750	"	
Bhang ...	117,110	"	
(g) Opium ...	23,138	"	27,94,000

#### FINE FOR CULTIVATING NAYABAD LAND IN ALMORA DISTRICT.

15. **Pandit Badri Dutt Pande :** Will the Government be pleased to state the amount of fines, etc., levied from the agriculturists of the Almora district for cultivating *nayabad* land without previous sanction during the last three years?

**Mr. H. A. Lane :** A statement is laid on the table.

(See Appendix N, page 615.)

### BUDGET, 1927-28.

#### DISCUSSION OF DEMANDS FOR GRANTS.

##### Demand No. 8.

#### HEAD XIII—15-A AND 16-B IRRIGATION EXPENDITURE CHARGED TO REVENUE.

**The Hon'ble Sir Sam O'Donnell :** I beg to report to the Council the recommendation of His Excellency the Governor that a sum of Rs. 59,80,395 be provided under head of "Expenditure on irrigation works charged to revenue," and I move that this sum be voted.

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I move a (substantive) resolution by Rs. 8,500 of item concerning "working expenses—Works for which capital accounts are kept" (page 7 of the detailed estimates) under sub head "(1) Productive works—Deoband branch."

If honourable members will refer to page 24 of the separate Irrigation department budget they will find that there is a scheme for remodelling Deoband branch from head to tail for which an amount of Rs. 33,323 has been sanctioned, out of which the probable outlay in 1926-27 was Rs. 5,323 while the new grant for 1927-28 is budgeted at Rs. 28,000. On page 7 of the detailed estimates of the Irrigation department we find that the grant was included in the Ganges canal first circle for 1926-27, but in the revised estimate for 1926-27 we find Rs. 1,05,246 separately tabulated for it. The budget estimate for 1927-28 is Rs. 1,13,760. So there is a difference of Rs. 8,514 in the expenditure which was incurred during the revised estimate of 1926-27 and the budget estimate of 1927-28. If we refer for further details to the memorandum of the Financial Secretary we find at page 34 the following explanation:—"The provision of 1, 78, is made up of 28, for remodelling the Deoband branch." That is all. We do not know what will be the benefit which will be derived by remodelling this branch. Every department supplies us with some notes which may be of some use to the honourable members of this House. But this department which is meant for the benefit of the agricultural classes, which constitute the largest portion of the population of these provinces, does not care for presenting such notes. They have not given even any explanation which may show why this scheme has been thought of and why they want to remodel this branch. We have received this morning only a very short note about the Sarda canal, but there is nothing mentioned about this scheme. There is no doubt that this scheme has been sanctioned; but no one knows who sanctioned this scheme and when it was sanctioned. So, I want to know why this scheme has been worked out and why they want to remodel the branch. I therefore propose this very modest substantive cut, and I shall reserve my remarks and say what I want to say more about it after hearing the Chief Engineer.

**Mr. C. Y. Chintamani :** I have not risen to say a word on the merits of the proposal. I have got up to join the honourable mover in making a strong protest against the manner in which the Council has been treated in the matter of these Irrigation estimates. I have taken great pains, and so I am sure, have other members of this House, to understand the meaning of some of these figures in this volume of detailed estimates. For purposes of comparison there is very little material available, of explanation there is none whatever. The Irrigation department, a technical department, seems to think that either every member of the Council possesses all the knowledge that any human being can require without any information being supplied to them, or that the subject is so abstruse that no member need be troubled with any information as he will not be able to understand it even if the information is supplied. I have turned to the annual reports of the department in order to see if my ignorance can even partially be removed by reference to the narrative portion of the report. I must confess, Sir, that the result has been singularly disappointing. I have got the last three annual reports of the department, and I have taken

[Mr. C. Y. Chintamani.]

pains to get information from the narrative portion about this and other matters and I have signally failed. In fact, so little care seems to be bestowed upon the matter that in respect of the administration report for 1924-25 the copy of the report that is available in the Council library is so thin like this (and the copy of the same report obtained from the Secretariat library is so stout like this (Here the honourable member exhibited the copies). And for no reason that one can make out. About 180 pages of statistical tables which are found in the copy obtained from the Secretariat library are omitted from the copy obtained from the Council library. The report which purports to have been published in 1925 includes the Government resolution dated sometime in 1926. As regards the report for 1925-26 which must have been published some time last year, neither the Secretariat library nor the Council library has got a copy. I must emphatically protest against the discourteous manner in which the Council is treated in the matter of these Irrigation estimates and Irrigation reports and unless a satisfactory explanation is forthcoming I shall consider myself justified in adopting, so far as this department is concerned, the attitude of my honourable friends here and voting against every single item apart from its merits.

**Mr. B. D'O. Darley:** An estimate was sanctioned last year for remodelling the Deoband branch. This canal, as far as the main line is concerned, is incapable at present of carrying sufficient supply to enable all distributaries taking off it to run in their proper turn. It has therefore been very difficult to give the cultivators sufficient supply. For this reason it is proposed to remodel this canal to enable the distributaries taking off it to run truly alternate, for this has been found to be a far more economical method of distributing irrigation water. We hope thereby to save some water, which will be available for distribution elsewhere. The work has been begun and this amount of Rs. 28,000 which is entered in this budget will complete it during the year. The Deoband branch is a portion of the Ganges canal and therefore until this large estimate was been sanctioned and entered into the detailed estimates the cost of maintenance and repairs was included with that of the Ganges canal. When this work is completed and the branch returns to normal working the expenditure will once more be included in the figures for the Ganges canal.

This is the first complaint I have heard that sufficient details are not given in the Irrigation budget. Had full details been asked for before, we should have had a memorandum prepared explaining everything. That we have prepared a memorandum and supplied it to the honourable members in connexion with the Sarada canal is simply because it occurred to me that they would like full information about the construction of that canal. This matter will most certainly be taken into account when preparing the budget next year.

**Mr. Sir Sam. O'Donnell:** I am sorry that it should have been pointed out by an honourable member that there was any intention to change the Council. The budget has been presented in the same manner it has been presented for a series of years. If it had been represented to us that more detailed information was required we would have been only too glad to give it. As Mr. Darley has said we will see that in future years full details are supplied to the

As to the two reports to which the honourable member for Partabgarh has referred I must confess my complete ignorance. I did not know that there were two separate reports—one supplied to the Council library and the other supplied to the Secretariat library. I do not know what the difference is between them. The report for 1925-26 has not been published. However, I shall look into the matter. I assure the honourable member that it was not done by any direction within my knowledge. I hope this will satisfy him.

**Khan Bahadur Maulvi Fasih-ud-din:** I want to gather a little information about this Deoband canal remodelling. I want to know whether the whole length of this canal is being remodelled in its old bed. I also want to know the length and breadth of the present canal and what is going to be the length and breadth of the remodelled canal.

**Raja Jagannath Bakhsh Singh:** I just want to know one thing. I note that the prices of the two reports referred to by the honourable member for Partabgarh are Rs. 12 and as. 15. I do not know why such high prices have been placed on these reports. Is it intended that only very rich people should purchase these reports?

**Babu Shyam Lal:** I should like to know why the book is not available to the public, when it is priced for sale.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** The reply of the Hon'ble Finance Member has not convinced me at all. It is not clear whether the canal even on being remodelled will yield sufficient water, because those canals which are in the best condition are not even giving an adequate supply of water. Last year out of a total demand of Rs. 33,303 only a sum of only Rs. 5,333 was spent on this scheme. This year, however, after making a reduction of Rs. 8,500 the Irrigation department will be left with Rs. 25,500 to continue the work and this seems to me to be ample for a year's requirements. If later on they require further financial assistance, they can come up to the Council again for the remaining sum next year.

**The Hon'ble Sir Sam O'Donnell:** I think the honourable mover is under some misapprehension about this work. A sum of Rs. 5,000 in the present year was probably only for the purpose of survey. If the work is not carried out completely, the result will be that the channel will silt up. It is essential that a work of this kind, once it has been started, should be carried through. The remodelling of such a work is a technical matter on which one must take the advice of experts. Nobody wants to remodel these channels if they are already in perfect condition. The only result of reducing this establishment would be to reduce the supply of water to cultivators, and I am sure the honourable mover does not think that that is desirable.

As to the questions put by Khan Bahadur Maulvi Fasih-ud-din Sahib, I must say that I cannot answer them at the spur of the moment. I have not got information as to the exact width or length of the canal. As to the price fixed for this volume, I must plead ignorance. I do not know why it is priced at Rs. 12-15. This figure *prima facie* seems to be unduly high, and I shall inquire into the matter. I shall also look into the question of the supply of copies of this report to the public.

*The motion was, by leave of the Council, withdrawn.*

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I beg to move a substantive reduction by Rs. 20,000 of item concerning "Working expenses. Works for which capital accounts are kept." (page 9 of the detailed estimates) under sub-head "1—Productive Works—Lump sum grant for works costing Rs. 20,000 and under."

If honourable members will turn to page 9 of the detailed estimates, they will find a sum of Rs. 1,50,000 budgeted for the following items altogether :—

					Rs.
"Lump sum grant for works costing	..				20,000 and under
At Chief Engineer's disposal	..				60,000
At Superintending Engineer's disposal—					
1st circle	..	..	..	..	30,000
2nd "	..	..	..	..	25,000
3rd "	..	..	..	..	30,000
5th "	..	..	..	..	5,000 "

In the budget estimate for 1926-27 a sum of Rs. 89,525 was provided, and in the revised estimate for the same year a sum of Rs. 95,398; but this year, as I have already observed, we are asked to vote for a sum of Rs. 1,50,000. Further, it will be seen that while last year not a single pie was placed at the disposal of the Chief Engineer, this year it is proposed to place at his disposal a sum of Rs. 60,000. My whole complaint is that details have not been supplied to us. On the contrary we have been asked to vote blindly, and this practice I am sure the honourable members will resist.

**Mr. C. Y. Chintamani :** During the six years the Irrigation estimates have been debated in this House, there has been an annual complaint about the growth of working expenses. The complaint was first voiced in the first session of the first reformed Council by you yourself, Sir, and since then the criticism has been annual and continuous. I have this morning discovered from these reports certain figures which can only be described, with due deference to the optimists of the department, as somewhat disquieting.

**The Hon'ble the President :** Does the honourable member propose to go into the entire working expenses? Here we are discussing a particular item.

**Mr. C. Y. Chintamani :** Very well, Sir, I shall then speak on a later motion.

**Mr. B. D'O. Darley :** Until this year only minor works costing less than Rs. 5,000 have been budgeted for in this manner. This year it has been decided to bring the Irrigation branch into line with the Buildings and Roads branch, i.e., to place at the Chief Engineer's disposal the distribution of money for all works costing less than Rs. 20,000. Last year in the detailed section of the budget—that portion which corresponds to page 24 and onwards here—all works costing between Rs. 5,000 and Rs. 20,000 were shown and as they were entered in that portion they were not shown as at the Chief Engineer's disposal. Rupees 1,50,000 under the head "Working Expenses—Productive Works" is really a very small sum at the disposal of the Chief Engineer and Superintending Engineers who have got so many new works urgently required and so many miles of channels to look after and keep in repair.

For many years we have been urging the Finance department to give us more money and we have been assuring them that if they will give us more money we will give them in return more revenue. Owing to the financial difficulties the Finance department for some years have been unable to give us the money we require. In fact it has cut down our demand considerably. My worthy colleague, Mr. Jwala Prasad, came forward with a long list of urgent works required for the next year. He pointed out that the recent growth of revenue was largely due to the efforts of the department to the improvements carried out in the canals. The Finance department were faced with this big list and after studying ways and means they determined to take the figures for the year 1921-22. They found out the amount of money which was actually incurred on works costing less than Rs. 20,000 and they placed this amount at the disposal of the Chief Engineer to be utilized, as he thought best, on works scattered all over the province. Some of the items are very small, Rs. 100, 120, 130, 500 and so on, and to give details of such small works here and now is quite impossible. If the honourable member cares to see these details, I will be only too glad to show him the list during the lunch interval. That list will show the amount which is really required for these works and which the Finance department have reduced to this small sum.

**The Hon'ble Sir Sam O'Donnell:** I am sure that my honourable friend will on reflection realize that any reduction of this sum of Rs. 1,50,000 would not be a true economy. After all, the canal system is an enormous system which includes thousands of miles of canals, distributaries, channels, minors and so on, and its efficiency and its capacity to produce revenue depends upon their being kept in order. That means that there must be a certain amount of expenditure on various small minor works here and there. In that enormous system there must be quite a number of places which require repair. All that we have asked for is the sum which was actually found necessary in the year 1921-22. In the interval we cut down the working expenses. I remember distinctly that in the first year of my tenure of my present office, i.e., in 1923-24 we were hard up for money and we decided to make some reduction in these working expenses. I did so with rather a guilty conscience. I felt that it was a more than doubtful economy. But then we had no money, and we had to make cuts right and left. Now we have been compelled to go back to the original figure.

**Manvi Muhammad Obaid-ur-Rahman Khan:** The Chief Engineer may think that this sum is very small, but the honourable members of the Council cannot think so. Moreover in his speech he has not given a single instance to show that work will be hampered in any way if the reduction which I have proposed is accepted by the House. The Finance department has cut down the expenditure to some extent as has been stated by the Finance Secretary and still the budget is a deficit one this year, why should not the Council make further reductions to meet the deficit. I hope this reduction will be accepted by the Council. If our financial conditions improve next year; we shall gladly consider the schemes which Mr. Jwala Prasad will put before the House of course with more details. With these remarks I commend my motion to the acceptance of the House.

**The Hon'ble Sir Sam O'Donnell:** The honourable mover has complained that not a single instance has been mentioned in which work will

[The Hon'ble Sir Sam O'Donnell.]

suffer. We offered to show him a list of works during the lunch interval. This list runs to 25 pages of foolscap size, and it includes such things as construction of a regulator at mile 15—Anupshahr branch, construction of a regulator at Jani escape and similar other items.

As to the question of economy, my whole point is that to refuse to give money for such works is not a real economy. Every one who knows Mr. Jwala Prasad knows that he is keen on economy. His aim is to increase the revenue of his department. He is not going to use the money unless he is satisfied that it is desirable to do so and that the result will be that the channels will be in a better condition, that the cultivators will get more water and that the Government will get more money.

*The motion was put and the Council divided as below:—*

*Ayes, 30; Noes, 34.*

*Ayes.*

Sri Ganesh Shankar Vidyarthi.  
Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Rai Bahadur Thakur Hanuman Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Raja Bahadur Bishwanath Saran Singh.  
Mr. C. Y. Chintamani.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Chaudhri Niamat-ullah.  
Rai Bahadur Munshi Ambe Prasad.  
Raja Jagannath Bakhsh Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.

Mr. R. J. S. Dodd.  
Lieut. Col. R. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Thakur Hukum Singh.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Haji Abdul Qayum.  
Saiyid Habib-ullah.  
Khan Bahadur Saiyid Jafar Husain.  
Mr. E. M. Souter.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a substantive reduction by Rs. 1,09,000 of the item concerning "I—Extension and improvements" under sub-head "Extension and improvements."

The honourable member for Partabgarh has pointed out that expenditure is constantly going up in connexion with the working expenses of the canals. The item of Rs. 52,900 refers to the working expenses of the Ganges and the Betwa canals.



**Mr. E. A. H. Blunt:** It is only the Betwa canal and not the Ganges canal. I find here that on pages 24, and 25 there is an item of Rs. 1,78,000 for the Ganges canal and we have also got an item of Rs. 69,000 for the Betwa canal and with the lump sum grant of Rs. 40,000 the latter item comes to Rs. 2,09,000.

**The Hon'ble the President:** That refers to the Betwa canal. The honourable member will notice that the extensions and improvements there are unproductive. To what head his motion refers?

**Khan Bahadur Hafiz Hidayat Husain:** The head is given at page 24—Working expenses.

**The Hon'ble the President:** And not extensions and improvements?

**Mr. E. A. H. Blunt:** I may explain that extensions and improvements are part of the working expenses. That is all I have to say.

**Khan Bahadur Hafiz Hidayat Husain:** Whatever it be, Sir. I just want to point out that in 1925-26 it came to Rs. 23,422. The budget estimate for 1925-26 was Rs. 21,000. The revised estimate was Rs. 55,000 and now it has swelled up to Rs. 2,09,000. Sir, from the detailed estimates prepared by the department it appears that Rs. 28,000 is required for remodelling Deoband branch from head to tail.

**The Hon'ble Sir Sam O'Donnell:** That has already been disposed of.

**The Hon'ble the President:** I cannot make out to which item the honourable member refers. Honourable members while giving motions for substantial reductions lump up a number of items and that is where the difficulty comes in. We have already discussed the question relating to Rs. 28,000 under head "Productive works" and cannot re-open that question in connexion with this substantial reduction.

**Khan Bahadur Hafiz Hidayat Husain:** Then Sir, I will reserve my points for another occasion and withdraw this motion.

*The motion was, by leave of the Council, withdrawn.*

**Pandit Govind Ballabh Pant:** I beg to move a (substantive) reduction by Rs. 2,00,000 of the item concerning "establishment (Rs. 24,40,850)" under sub-head "B—Productive works for which capital accounts are kept.

I must warn the Hon'ble Finance Member and the Chief Engineer at the very outset. The motion that I am making is not of a token character nor do I expect any satisfactory reply from the Government which will induce me not to divide the House over this motion.

**The Hon'ble the President:** The honourable member is uttering a threat at the very outset.

**Pandit Govind Ballabh Pant:** I thought it might be more effective now than at the end. Now, Sir, coming to the point I may say at the outset that I have cared to look into the figures as attentively as I could and I had a mind to urge, with all the earnestness that I could bring to bear on it, the complaint that was made with his usual eloquence by the member for Partabgarh, but, instead of reiterating what he has said, I endorse every word uttered by him and proceed further. I am not at all sure at the outset that I have taken care to take into account the various branches of irrigation expenses. I am aware that works are financed out of revenue, out of famine insurance fund and out of loans. I am also aware of the fact that they are divisible

[Pandit Govind Ballabh Pant.]

into productive, unproductive, miscellaneous or minor works. Again, expenditure may be on account of maintenance and repairs, on account of establishments connected with maintenance and repairs and works and establishment on account of revenue and survey. I have also borne in mind that there are certain heads such as those relating to revenue and surplus. With these introductory remarks I will now come to the merits of my motion. If honourable members will refer to page 59, they will find that the total amount provided on account of establishment for the year 1927-28 comes to Rs. 27,96,000 taking voted and non-voted together. The revised estimate for the year 1926-27 comes to Rs. 24,27,000 and the actuals for the year 1925-26 come to Rs. 24,18,000 I have in all these added up the voted and the non-voted. Thus the provision for the next year is Rs. 3,70,000 in excess of the expenditure incurred during the current year and it is about Rs. 3,80,000 in excess of the expenditure incurred during the last year. Further, my study of the irrigation budgets has struck me with two features. One is reckless overbudgeting; the other is appalling growth of expenditure. I need not attribute any of these to the fact of the Hon'ble Finance Member being in charge of the Irrigation department. I presume that, in spite of the close corner for the department which is directly under his control, he as the head of the Finance department has been applying the ordinary principles and canons of finance to the demands proceeding from the members of the Irrigation department with as much of care and scrutiny as he does in other cases. But, Sir, the facts are conclusive and they demonstrate that his care has been in a way outstripped by the ingenuity of his subordinates. Sir, the Economy Committee in 1924 laid great stress on the need for economy. The committee observed that there had been enormous growth of expenditure in the Irrigation department. On page 39 of their report the committee said that the total expenditure for running the open canals (to which alone I am confining my remarks at the present moment, in 1913-14 on account of direction came to 2,84, but in 1923-24 it was 4,02. Similarly in the case of executive establishment in 1913-14 it amounted to 13,60, while in 1923-24 it came to 19,21. Similarly so far as the revenue staff is concerned, in 1913-14 it came to 4,15, while in 1923-24 it came to 6,70. As I said, for direction the provision in 1913-14 was 2,84,; in 1923-24 it was 4,02. The committee was definitely of the opinion that the expenditure was excessive and it earnestly advised the Government to make further economy. But we find that in 1927-28 the provision under this head comes to 4,79, which is in excess of about 77 thousand over the provision for 1923-24; instead of 4,02, it is 4,79. I may state here that I have taken into account only the pay of the chief engineer and the superintending engineers connected with the running canals and not of those connected with the Sarda canal. Similarly the expenditure over the executive establishment was 13,60, in 1913-14; in 1923-24 it was 19,00. In 1927-28, it is 33,00. The revenue expenditure in 1913-14 was 4,15, in 1923-24 it was 6,70, in 1927-28 it is 12,88, so that during the last three years the expenditure on account of revenue and survey has gone up almost by hundred per cent. and for 6,70, you have got today 12,88. Sir, I may also state here that the total expenditure under establishment under all heads in 1919-20 was 33,24,; in 1922-23 it was 46,00,; in 1923-24 it

was 45,00 in 1924-25 it was 43,00, in 1925-26 it was 44,56,. We have not got the actuals for 1926-27 yet, but the revised figure is there and the provision made this year is 27,96, under this head only.

Sir, I may also at this stage invite the attention of the House to the other aspect of the question to which I referred incidentally at an earlier stage. It is the matter of over-budgeting. We find from the appropriation reports for every year that there has been over-budgeting in this department. For example, in the year 1922-23 we find from the appropriation report that the provision for establishment in the budget came to 50,93. I have got the report and can point out the page and hand over the book to Mr. Blunt. It is page 18 of the appropriation report. The establishment provision was 50,93,. The actual expenditure was 46,46, so that it was over-budgeting to the tune of about four and half lakhs which the Government could not spend in spite of its being put down in the estimates. Then again, in the year 1924-25 the provision for establishment came to 54,00, and the actual appropriation only to 48,00, so that there was a saving of 5,49. I will read the last paragraph from the appropriation report for 1924-25,. At page 67 it says :—

“The total establishment charges on irrigation, including Sarda, were originally estimated at 54,03, and the net appropriation after surrenders stood at 49,38, against which the actual charges came up to 48,00. Thus the actual expenditure fell far short of the original estimate and indicates over-estimation.”

Similar remarks have been made in the appropriation report for 1922-23 and also in the appropriation report for the year 1921-22. The figures are given at page 18 with full details and there it is shown that there was over-budgeting in the case of establishment as well as in the case of tools and plant to the extent of four and a half lakhs in the case of establishment and to the extent of about a lakh in the case of tools and plant. I may also mention here that there are figures given in the appendix to the administration reports of the Irrigation department for every year from the year 1892 onwards, and a study of these figures will satisfy any reasonable man here that there has been an excessive growth of expenditure; that there has been over-budgeting and that there is absolutely no reason why there should be such a huge provision made under irrigation.

Sir, if you will on the other hand look at the gross expenditure and the gross revenue in this province and compare it with those in Madras or in the Punjab, where there are large irrigation works, you will find that we are at a disadvantage. According to the volume published by the Government of India known as “India for the year 1924-25” it appears that the working expenses amount on an average to 30 per cent. but here in our case they amount to much more than that, but apart from these disparaging comparisons what we have to take into account is the huge growth in expenditure which has taken place during the four years 1923-24 to 1927-28. And I am not here referring to the unproductive works, in which case the growth is even more dangerous as we have to work them at a loss. It must have been known to the officers of the Irrigation department that a number of canals so far classified as productive are now according to the advice of the Auditor General fit to be placed under

[Pandit Govind Ballabh Pant.]

head unproductive, such as the Agra canal and the Rohilkhand canal. Government was advised by the Economy Committee to reduce the number of superintending engineers in the branch of the Irrigation department relating to open canals from four to three. That recommendation was also accepted by the Government in their resolution. But we find that, instead of reducing the number, the Government in fact has raised the number, for there are those four superintending engineers in that but the number of superintending engineers in the Sarda has been raised from two or three. We have got instead of the five engineers recommended by the Economy Committee, and accepted by the Government, seven superintending engineers to-day, and administration of the Rohilkhand canal has been transferred to the fifth man who is nominally in charge of the Sarda works. So there has been a good deal of increase in the number of engineers. I will not refer to further details arising out of the recommendations of the Economy Committee or over the acceptance of those recommendations by the Government in the resolution issued by them in that connexion. I have carefully looked into the figures and I am really staggered to see how there has been such a huge expenditure going on from year to year. It is difficult for the members of the Council even to follow the figures in the detailed estimates—they do not even show what expenditure is being incurred exactly over open canals and what over canals run out of money provided from the famine insurance fund and what is actually the charge for establishment on account of Sarda canals. I will not labour the point further. I have a right of reply and I leave it at this stage. I can only say this, that unless Government put a stop to this reckless expenditure over these open canals, the time will soon come when all those known as productive canals will have to be converted into unproductive, and whatever little revenue we have been earning from this source will have to be wiped out. I am sorry to say that there has been enormous, reckless excessive, extravagant waste of money in the Irrigation department. I am fully aware and conscious of the useful and wholesome fruit which money properly, rightly, economically spent over irrigation projects can yield. I am also aware of the fact that expenditure over irrigation should be encouraged, but under no name, under no pretext can we tolerate the waste of public money when we find that under the sacred name of irrigation huge sums are being wasted. I would strongly, emphatically and earnestly urge upon the Council the desirability of carrying out this small cut which will not in any way affect the actual working of the department, because we know year after year they have over-budgeted to a tune of more than four lakhs, and when I am asking for a cut of two lakhs I am not really restricting their resources so far as practical working is concerned. But they must come before us with their estimates properly framed, and it is our right to see that money is not provided except to the extent to which it is absolutely necessary.

**The Hon'ble the President :** May I know one thing from the honourable member for Naini Tal? Did he refer to charges of establishment over superintendence? From the speech of the honourable member I gather that he wishes to attack the whole policy of the department and there are motions for specific reductions,

**Pandit Govind Ballabh Pant:** I should expect Sir, that if this reduction is carried perhaps others will not make their motions.

**The Hon'ble the President:** There is for instance the motion of Maulvi Obaid-ur-Rahman Khan. May I know from Maulvi Obaid-ur-Rahman Khan, whether he wishes to attack particular items or the policy of the department?

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I want to discuss the whole establishment in that connexion, because I will show there is an increase almost all over the establishment.

**The Hon'ble the President:** May I know from Mr. Chintamani whether he wishes to make substantive cuts or discuss the policy of the department?

**Mr. C. Y. Chintamani:** They are mainly substantive cuts, but one or two relate to matters of policy also.

**The Hon'ble the President:** Which is substantive and which is a token one in order to discuss the policy?

**Mr. C. Y. Chintamani:** Under direction. This is mainly substantive but partly constitutional, and the same thing under engineering establishment. The matters relating to policy will be small.

**The Hon'ble the President:** Then I think it would be better if the motion before the House is disposed of first and then these motions taken afterwards.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** What I wanted to discuss was in connexion with the establishment of the Irrigation branch in the United Provinces for 1927-28 and to show that there is such a large increase that honourable members of this House cannot allow it to be sanctioned. And by sending these two motions I wanted to show under different items the increase budgeted this year. But it is apparent that I could not have dared to move a reduction of two lakhs. The leader of the Swaraj party may venture to move such a big reduction but when I was not even successful with a small cut of Rs. 20,000 which I proposed only a while ago, how could I dare to add one more zero to it. So I have been quite content with moving reductions of Rs. 13,500 and of Rs. 20,000, i.e. a total of Rs. 33,500 only.

**The Hon'ble the President:** You want to move amendment to the motion of Pandit Govind Ballabh Pant?

**Maulvi Muhammad Obaid-ur-Rahman Khan:** Yes, Sir: with your permission I move that the figure of 2 lakhs in the motion of the honourable member for Naini Tal be reduced to the figure for Rs. 33,500 under the item establishment of the Irrigation branch, on pages 38—39. Sir, when the honourable members refer to pages 38—39 of the separate budget of the Irrigation department they will find a very great increase under this item. And the Finance Secretary has also referred to it in his memorandum, on page 34, in which he says, "Details of establishment charges will be found pages 28—39 of the separate volume of Irrigation estimates." In spite of the search I have made I could not find a single item under establishment from page 23 to page 32 but only in the detailed account from page 33 to page 39 it is found. It is really very wonderful that such a large increase should be described by the Financial Secretary, who is responsible for framing the Budget, only in one sentence. It shows that

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either he does not care for such a big sum or that he does not care to explain it to this House. Now, we find that there are increases generally under non-voted items which we are not in a position to touch, because, as has been well said, they are untouchables. But we are to be content with only those which lie within our province, i.e., voted items. If we refer to the pay of establishment, which comprises clerks, computers and draftsmen, daftaries, jamadars, chaprasis, dafadars, barkandazes, etc., we find that the total comes to Rs. 1,26,017 in the Budget year, while in the current year, i.e., 1926-27 we find that the sums provided under different items amount to about Rs. 1,21,423. So, there is an increase of Rs. 4,594 under these items. Again, if we refer to the item "Contingencies, ordinary" we find that they are budgeting for Rs. 19,054 in 1927-28 instead of Rs. 14,000 which they had budgeted for in the current year. So, there is also an increase of Rs. 5,054. If we care to see the total we will find that there is an increase of about Rs. 42,000. Again if we turn to page 34 under the head "Upper subordinate establishment" we shall find that under sub-engineers there is proposed an increase of one sub-engineer and the amount allotted last year was Rs. 5,400 under this item, while now they are budgeting for Rs. 12,960. Thus there is an increase of Rs. 7,560 or more than double that of last year by Rs. 2,100. The causes of these increases are known either to the Irrigation department or to the Finance department. We really are quite unable to understand whether they are just or not. They have not given any grades here by which we can find out how far the grade is responsible for that increase. But if the grade has increased I do not think that there would be such a large increase in the pay of one engineer only in one year because they are appointing another man this year. Then, under temporary establishment we find that in the year 1926-27 there was only a sum of Rs. 88,048 budgeted, for while this year they are budgeting for Rs. 1,00,762, i.e., there is an increase of Rs. 12,714. If we refer to page 35 we will find that under "pay of establishment—lower subordinate establishment" there is an increase in the number of sub-overseers from 249 to 267, and the increase in the sum budgeted for is from Rs. 2,39,984 to Rs. 3,37,814. Under sub-divisional allowance there is again an increase from Rs. 1,200 to Rs. 1,800, which they may say is due to the increase in the number of overseers. But no one can say why this increase in the number of overseers has been effected, how much it will cost and whether it is only for current year. Then, Sir, under "Petty—Pay of establishment" you will find an increase in the number of daffadars from 360 to 395. The budget estimate for last year was only Rs. 40,662. This year they are budgeting for Rs. 48,588. So there is also an increase of about Rs. 8,000. The cause of this increase is also unknown to us. The causes for this increase are known only to the department concerned. On page 36 under "pay of establishment" you will find in the number of signallers, telephone munshis and peons an increase of 6 hands, i.e. from 211 to 217. The result of this increase in the number of hands is an increase of about Rs. 2,000, i.e. from Rs. 68,460 to Rs. 70,236. There is another matter which I wish to mention particularly. The number of draftsmen last year was 32 and this year also it is 32. But there is an increase of Rs. 1,920, i.e., last year the allotted sum was only Rs. 27,360, while they are budgeting for Rs. 29,280 this year.

Under temporary establishment—no one really knows what is meant by this temporary establishment—the increase is from 360 to 371 with the result that there is an increase in the amount budgeted from Rs. 2,31,873 to Rs. 2,35,819. If we turn to the “establishment for laying out canal and guls for Sarda construction” we will find there is also an increase under temporary establishment from 160 to 182. The result is that there is an increase in the amount budgeted from Rs. 74,946 to Rs. 81,180.

I read in the paper only the other day that when the discussion of the budget was going on in the Madras Council a member remarked that this department which is meant for the benefit of the people has come to such a position that the people are afraid of it instead of loving it. Naturally they ought to love this department because it is intended for their benefit. Instead of loving it they are really afraid of it. The representatives of the people do not know whether the money which is being spent so generously over this department is being utilized fully well or not. I may say here that I am anxious to see this department in as good a condition as any member of the department itself could wish to see it because I belong to that section which is most closely affected by this department. But when I see that the results are not so hopeful and encouraging as they ought to be there is no remedy but to criticize the department. Certainly, I do not want to advocate any false economy. If there is any necessity and any real need for the improvement, then we are quite prepared to accede to the wishes of the department, but first we must ascertain that the money is to be spent properly. At present we are not in a position to say that the demand which is put before us for our vote in what way is meant to improve the department, and to what extent it will benefit those who are to be affected by it. I think under these circumstances it is our duty to criticize the budget of this department and see that the proposed reduction is carried, so that in future the department may become more economical. With these few words I commend my motion to the House.

**Dr. Shafa'at Ahmad Khan :** The question of the establishment of the Irrigation department has been discussed by Pandit Govind Ballabh Pant, and I have no desire to cover the ground which has already been traversed by my honourable friend, Maulvi Muhammad Obaid-ur-Rahman Khan. I should like, however, to point out that so far as the Irrigation department is concerned, the mere fact that an increase under establishment has taken place does not by any means prove that that increase was not justified. We have to look not only to the establishment, but also to the work to be done by that establishment. If the work has increased, the establishment will necessarily increase. Let me illustrate my meaning. Suppose a work, involving a large amount of outlay, is to be constructed by the Government. In that case if the amount of capital to be spent on the building has increased, naturally the amount to be spent on establishment will also increase proportionately, so that the mere fact that there is an increase on establishment does not show that there has been a real increase—an increase which is not justified by the proportionate increase in the new work. I will, however, prove my point by another test, that is, the test of the ratio of the establishment to the assumed works. The ratio of establishment charges subject to *pro rata* distribution to the assumed works outlay during the

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last six years in the Irrigation department of these provinces works out as follows:—

			Per cent.
1920-21	...	...	57.3
1921-22	...	...	49.7
1922-23	...	...	52.2
1923-24	...	...	52.5
1924-25	...	...	37.6

The reduction in the ratio for the year 1924-25 is due to the fact that about twelve lakhs was spent on the restoration of works damaged by the flood by the establishment without any addition to the establishment.

The percentages, however, do not take into account the expenditure incurred on the special revenue and special survey establishment. If we include these, we have the following ratio:—

			Per cent.
1920-21	...	...	82
1921-22	...	...	76.7
1922-23	...	...	79.6
1923-24	...	...	81.5
1924-25	...	...	55.5

In 1924-1925 it will be observed that the ratio of charges on establishment was extremely low, because twelve lakhs was spent on the re-building of the Ganges and Jumna canals, which had been seriously damaged by the floods.

I will give one more argument to show that the expenditure is very high indeed. About two days ago I calculated (I hope Mr. Darley will correct me if I am wrong) that our capital expenditure in the year 1925-26 on the seven productive canals stands at about eleven crores, while on the unproductive canals it amounts to four crores and sixty-seven lakhs. The total capital expenditure, therefore, comes to about sixteen crores. Now, let us see what revenue we derive from the productive canals and what from the unproductive canals. We find that the net revenue which we derive from productive canals is Rs. 82,74,969; while there is a revenue deficit of Rs. 1,74,235 on unproductive canals. The net revenue then on all the canals is about 81 lakhs, on a capital of about sixteen crores. (I am not, of course, including the Sarda canal at all, but only the canals that have already been constructed.) I calculate that for the year 1925-26, our revenue on the total capital was above 5.0625, say 5 per cent. Compare this percentage with the ten per cent. net revenue which is derived by the Punjab. Is not the difference remarkable? And this, in spite of the fact that the cost of labour in the Punjab is nearly twice as high as that in our own provinces. Everyone knows that the standard there, and the wages, are very high indeed. Even Mr. Darley, the Chief Engineer, admitted before the Taxation Inquiry Committee that the working expenses of the Upper Ganges canal rose from Rs. 10,64,499 in 1903-04 to Rs. 19,40,665 in 1923-24, an increase of 80 per cent. I suggest that the chief reason why the maintenance charge had gone up so high is that the cost of establishment is extremely high as compared with the cost incurred upon establishment in other provinces. If the Chief Engineer



will look up the evidence of the Chief Engineers of the other provinces, for instance of the Central Provinces, Berar, and Assam, all of whom gave evidence before the Taxation Inquiry Committee, he will find that the amount which we spend upon the establishment is enormously large as compared to the amount which is spent by other provinces.

I am now going to make one or two suggestions to the Government. They are put forward in the hope that the Government will consider them. My suggestion is that all questions concerning establishment should be placed, as they are placed, before the Finance Committee, but that in the budget or the Appropriation Report we must have such items specifically marked out as have been disapproved by that committee. I will defend this position. This is one safeguard.

**The Hon'ble Sir Sam O'Donnell :** Sir, can a statement be made as to the proceedings of the Finance Committee?

**The Hon'ble the President :** I think the honourable member knows that the proceedings of the Finance Committee are confidential.

**Dr. Shafa'at Ahmad Khan :** My second proposal is that the Government must tell us in all cases where they have acted against the wishes of the Finance Committee. My third proposal is that they must also indicate in the budget what estimate they have entered in anticipation of the approval of the Finance Committee. Lastly, they must indicate whether these estimates were actually approved or not.

The Hon'ble the Finance Member says that the proceedings of the Finance Committee are confidential and you cannot discuss them. But he knows also that the Finance Committee is not a statutory body, and that we can, if we desire, amend our standing orders in such a way as to enable us to carry out our works. It rests as it ought logically to rest with us, and we are not prevented by the Government of India Act from doing this. I know that there is a standing order to this effect. But I submit that, after all, standing orders are made by us and we are not made for standing orders. If necessary, we can amend them. The Government of India have already carried this suggestion and their Appropriation Reports indicate in clearest manner possible all the four types of cases mentioned by me. This was done about two years ago at the instance of the Central Standing Committee of Finance and is now being acted upon. I hope this suggestion will be considered.

My third point is that the figures which are supplied to us with regard to the Irrigation department are quite unreal. I deliberately say "unreal," as the Government spent about 16 lakhs on the rebuilding of the Ganges and Jumna canals which were seriously damaged by the floods of September. This they did in 1924-25. They repeated this performance in the year 1925-26. A sum of fifteen lakhs and eighty thousand has, I believe, been provided for the restoration of canal works destroyed by the floods of September, 1924. These amounts have not been shown under the revenue accounts but against the strictest canons of financial policy have been charged to the capital account. That is to say, instead of these amounts being paid out of our ordinary revenues, they will continue to burden our children, and children's children. I hope the Finance department will clear up this point.

I now compare the establishment charges with the amount of revenue collected.

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The proportion of establishment charges to the amount of works outlay and revenue collection for the last five years is as follows:—

1921-22	...	...	...	24.2
1922-23	...	...	...	25.4
1923-24	...	...	...	23.4
1924-25	...	...	...	25.8
1925-26	...	...	...	22.8

I would point out that the amount of money which the Finance department are spending on establishment is not justified. If the Government make a serious and a determined effort, they can, I am sure, reduce the charges of establishment. Let me illustrate this with reference to charges in the Public Works department. While up to 1922-23 the percentage of establishment charges to all kinds of expenditure on works did not exceed 21, the figures rose in 1923-24 and 1924-25 to 25 per cent. Serious and sustained efforts by the Government led to the reduction of that ratio to about 19.5. If this is possible in the Public Works department, it is, with necessary modifications, also possible in the Irrigation department, why should not the Government make an effort? In the same way I should like the Irrigation branch to reduce the ratio to 17 or 18 per cent. I am convinced that if they try this they will succeed.

Lastly, I must request to Government to add a separate item in the budget giving a comprehensive and correlated account of the establishment. This was not done in this department. The Public Works department has done it with eminent success. Let the Irrigation department try this. The advantages of the system are obvious. By this means anybody can know at a glance how much of the total amount has been spent on whole of the establishment. With these words I support the amendment of my friend Maulvi Muhammad Obaid-ur-Rahman Khan.

**Mr. C. Y. Chintamani :** There are four motions in my name namely Nos. 9, 11, 12, and 13. The total of the amounts which in these four motions I ask to reduce is Rs. 1,00,300. I now ask your permission to move, as an amendment to my friend's motion, for a reduction of Rs. 2 lakhs, that "Rs. 1 lakh" be substituted for "Rs. 2 lakhs."

*(The Hon'ble the President hoped the House had no objection to the honourable member's doing so, because the aggregate amount of notice of reduction was even more than a lakh. As there was no objection, the honourable member was allowed to proceed.)*

The items on account of which I gave notice of these four motions are these. I mention them in order to explain how I arrived at that figure. There is at page 33 under the head of "Direction" a provision for two personal assistants to Chief Engineers and under secretaries. I find that in 1924, as appears from the last administration report, it was decided to abolish the post of one personal assistant and under secretary. The post was actually abolished on April 1, 1924, but it was revived some time in 1925. I find from the Civil List of last January that it has again been in existence since March 1, 1925. I do not know why a post which the Government abolished in 1924 was revived in the space of 12 months. So far I have found no public explanation of this circumstance.

Secondly, there is full provision for four superintending engineers. I am aware that superintending engineers are sacrosanct items : in other words, they are non-voted. All the same there have been discussions in this Council on the number of superintending engineers required in the Irrigation department. I myself have grave doubts whether superintending engineers are an absolutely necessary item at all. I have no such doubts with regard to another branch of the Public Works department; but in respect of the Irrigation branch I must speak in much more guarded language. At all events, leaving aside for the moment the question whether the post of superintending engineers should or should not be retained—I am not discussing that—the recommendation of the Economy Committee, to which reference has been made in the course of more than one debate, and a perusal of the successive statements made by the Hon'ble the Finance Member, whether in his capacity of Finance Member or Irrigation Member I leave it to him to say, in the years 1924, 1925, and 1926, leave upon my mind the impression that one post should certainly have been reduced. On the same page there is under item "Establishment temporary" an increase of about 10 in 1926-27 and 14 in 1927-28. As in the case of other items, there is no explanation of this proposed increase.

**The Hon'ble Sir Sam O'Donnell :** Increase under what items ?

**Mr. C. Y. Chintamani :** Temporary engineers -- Establishment (temporary).

**The Hon'ble Sir Sam O'Donnell :** On page 33 ?

**Mr. C. Y. Chintamani :** Yes. There is an item of 10 in 1926-27 and an item of 14 in 1927-28 under "Establishment (temporary)." I am speaking of the numbers. Now I would ask the Hon'ble the Finance Member to look at page 35. The increase of 18 under sub-overseers and subordinate engineering service is counterbalanced by a decrease under "Temporary Establishment" from 258 to 221, in fact more than counterbalanced. But there is a small paragraph here which I have not been able to understand. It is this: "Net extra cost of men already promoted or to be promoted to the Subordinate Engineering Service and also of increase of cadre by 20 men." I have not been able to understand what this increase of 20 men is for. Then under "petty establishment" an increase of 35 is provided for under duffadars, under "office establishment" at page 36 there is a net increase of 17 men and under "establishment for laying out canal and guls for Sarda construction an increase of 22. These are the increases under establishment. Then coming to page 38 again under "temporary establishment" there is a provision for an increase in number from 12 to 30. But while the increase is from 12 to 30 in number, the increase in cost is from Rs. 3,507 to Rs. 10,515 : the disproportion will easily be perceived.

**Mr. E. A. H. Blunt :** What is the number of the page ?

**Mr. C. Y. Chintamani :** 38. On the same page there is an item "Deduction on account of probable savings." In the budget estimate of 1926-27 they put in a figure of Rs. 82,000. I cannot tell why in presenting the budget estimate they should anticipate savings of no less than Rs. 82,000 and instead of re-working the figures in regard to the anticipated savings, they should have put in here "probable savings." Now, this is not the revised estimate but the budget estimate.

[Mr. C. Y. Chintamani.]

In 1927-28 this probable saving dwindles from Rs. 82,000 to Rs. 20,000. The net salary of establishment rises from Rs. 3,82,369 to Rs. 4,57,345. I took all these things together and found that a motion for a reduction of somewhere about two lakhs would be quite proper. At the same time I made ample allowance for my own ignorance of the details of this technical subject and therefore I thought should be acting prudently if I left the Government one-half of this proposed increase and came here only with a motion for one lakh of rupees. Failing a satisfactory explanation by the Government or a willingness to accept this more moderate motion of mine, I shall have no hesitation whatever in conscientiously asking leave to withdraw my motion and whole-heartedly supporting that of my friend the member for Naini Tal.

Sir, a great deal has been said already about the percentage of working expenses and here I will take a very few figures from Administrative Accounts of Irrigation Works of the United Provinces by the Accountant General appended to the annual administration report of the department. Taking successive reports I find the Accountant General has given these figures of working expenses. Under productive works,

1921-22	...	...	...	36.45
1922-23	...	...	...	38.65

but at another place he has quoted 37.99. I do not know which of the two is more correct.

1923-24	...	...	...	34.01
1924-25	...	..	...	42.04

With regard to this 42.04 remarks have been made by the Accountant General in his last statement which, although somewhat lengthy, it will be my duty to place before the Council in a minute or two. In the case of unproductive works the working expenses have increased from 86.73 in 1921-22 to

115.65	in 1922-23
124.77	in 1923-24 and
152.37	in 1924-25.

With regard to the latter the Accountant General wrote in 1925—

“This gradual decline in revenue and increase in working expenses year after year is far from satisfactory, even in the case of unproductive works and calls for consideration whether some curtailment of working expenses cannot be effected. This tendency was also mentioned in my last report and doubtless the whole question of the maintenance and working of unproductive canals is engaging the attention of the Government.”

This is what he wrote in 1925.

In the same year, he wrote with regard to that 42 per cent. :—

“The action of the Government in charging the cost of restoration against capital was, in a large measure, influenced also by the absence of any head in the revenue section of the accounts to cover cases of extraordinary renewals met from loan funds. All the same, the debit affects the productivity of the canals. I should think that in such cases of heavy renewals on account of damages, the expenditure should be

debited in the accounts in such a way as not to raise the progressive capital outlay and thereby give an exaggerated idea of the assets of Government. The extra expenditure should, therefore, be taken as unproductive expenditure, though met from loan funds, and be later on wiped off by the creation of a sinking fund, as in the case of other unproductive expenditure. Perhaps the proper course to have followed was to have had a suitable minor head opened for this purpose with the sanction of the Auditor General. As far as my information goes, the replacements do not enhance the earning capacity of these canals. If these charges had been taken to revenue, the canals would have earned the percentages shown in the remarks column of Table I, viz., 4.3 per cent. for the Ganges canal, 20.1 per cent. for Eastern Jumna canal, though the working expenses of productive canals, as a whole, would have risen from 42 per cent. to 56 per cent. of their earnings in this year. If, on the other hand, these extraordinary replacements and renewals are charged to capital, the earning capacity of these two canals will be permanently impaired owing to this added burden of 16 lakhs of unremunerative capital. There is no reason, as far as I am aware, for deviation from sound financial practice here. In fact, I should think that, as all these restorations could have been financed from the revenue of the year itself of the canals, the Local Government was not well advised in having decided to meet them from loan funds, unless perhaps from consideration of the provincial revenue deficit, as a whole.

"In this connexion I must mention that in the budget and the supplementary estimates no extra provision was made beyond the one for Rs. 20,000 under "establishment" to cope with the additional works on account of damage by floods. The permanent establishment of the open canals was thus able, practically unaided, to turn out this work in addition to their ordinary programme for the year. But still, on the wrong notion that the charges should be distributed *pro rata*, a debit of Rs. 2,85,000 was taken to the capital section instead of Rs. 20,000 as provided for. Of course Government re-appropriated the necessary amount to meet these charges and my office accepted the position under a misapprehension. The result has been that this amount also, by being met from loan funds, went correspondingly to reduce the amount of establishment under head XIII which is debitable to revenue. Thus it was that an expenditure which, but for the floods, would have remained under Revenue came to be debited to Capital by untoward circumstances, and although there was practically no increase in the permanent establishment to cope with the extra work. This incorrect procedure had the effect of reducing the revenue deficit of Government which apparently could not have been contemplated by the Council. I am also doubtful whether the Finance department recognized this when agreeing to the reappropriation."

"Some action is, therefore, necessary with the Auditor General's permission to write down the amount in the next year's accounts so that the productive capacity may be judged correctly."

I apologize for the length of this quotation, but its importance is my justification.

The figures of the area irrigated and the estimated value of crops on areas irrigated from State canals which were given in the Budget when compared with the net financial result make the position

[Mr. C. Y. Chintamani.]

disquieting. Again, taking the year 1924-25, the total area irrigated during the year was 2,285,543 acres or 2,95,439 acres more than in the previous year and the estimated value of crops raised on areas irrigated from State canals was 16,42,66,502 in 1924-25 against 13,48,40,449 in 1923-24. If, in spite of this circumstance, the working expenses increased so much and the financial result is no better than what it has been shown to be, the Council is more than justified in insisting upon the Government reviewing the whole position, accepting a smaller figure for working expenses and revising the method of debiting some of these items to capital or revenue in the light of the critical observations of the Director of Audit. For the reasons I have stated I place this motion before the Council, but if it does not find acceptance with the Government, I shall heartily support the bigger motion of my honourable friend.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Mr. B. D'O. Darley :** I am sorry to hear the Irrigation department accused of extravagance under the head of establishment, though I am glad in a way that this question has arisen, for it gives me an opportunity of defending our position. Far from being extravagant, the Irrigation branch has been as economical as it possibly can be, and far more economical under this head than any other province in India where large irrigation works are being built at the present time. I will first take the question of personnel. We are accused of increasing our establishment on the Sarda Canal. On the Sarda canal we have at present eleven divisions and 42 sub-divisions. Those have all been created since 1920. Eleven divisions and 42 sub-divisions constitute 53 Engineer charges. Has there been a large increase of engineers? Have we taken on a large number of temporary men for this big work? No, we have done it by utilizing staff already in the province.

**Pandit Govind Ballabh Pant :** I rise to a point of order. Are we concerned with the Sarda discussions or with only irrigation works finance out of revenues?

**The Hon'ble the President :** The staff has been criticized, the Sarda canal has been referred to by honourable members, and I think it is right that Mr. Darley should once for all meet this criticism.

**Mr. B. D'O. Darley :** If honourable members will turn to page 34 of the Detailed Estimates they will see under temporary engineers, including mechanical engineers, we have only eight in the province. We have only got at the present time eight temporary engineers, and a few young men recruited from Roorkee since 1920 as the extrastaff taken on to build the Sarda, and yet we are accused of extravagance. How have we done this? Well, the 53 executive posts have been filled by engineers taken from the running canals, and for the rest we have promoted subordinates to fill the sub-divisions. By this means we have effected a large economy. Take the present financial position of the Sarda canal. The honourable members, no doubt, know that when estimating the cost of a large work it is usual, based on experience, to allow 21½ per cent, of the cost of the works as the cost of the establishment. To that recently has been added one per cent. for audit and accounts. That makes 22½

per cent. Up to the end of the current year we will have spent on the works in the Sarda  $4\frac{1}{2}$  crores of rupees. Had we spent  $22\frac{1}{2}$  per cent. of that sum we would have expended some 96 lakhs. Actually the figure up to the end of this year will be something like 83 lakhs, a clear saving of 13 lakhs. Our figure for the current year is only roughly about 16 per cent. of our capital expenditure on the Sarda. Is that an extravagant figure? There are in addition savings under open canals. Why? Because we have taken away many of the engineers, and low-paid subordinates are working in the other places. That gives the general position as regards the Sarda canal and I may say the whole of the province. The honourable members who have spoken have simply gone on the fact that there have been increases. The figures for 1913-14 have been compared with the figures of 1923-24. Is that a fair comparison? Since 1913-14 everything has gone up; new services have been formed; the subordinate service has been formed, the provincial service has been formed; there have been increases of pay; the cost of living has gone up. It is impossible to compare the cost of living in 1913-14, or the cost of establishment then, with the cost of living and the cost of establishment in 1922-24. Of late years no doubt, since 1920 onwards, the cost of establishment has jumped up, and it has gone up on account of the Sarda till the actual amount spent in 1925-26 was 54 lakhs 89 thousand odd. The actual expenditure for the current year will be a little below this figure. For the coming year we are asking you for Rs. 1,07,000 more than we budgeted for the last year, taking into account supplementary grants given throughout the past year. This sum of Rs. 1,07,000 is made up of various items. In the first place there is Rs. 20,000 under lambardars' fees. If the irrigated area goes up the revenue goes up, and a fixed percentage of it goes towards lambardars' fees. Rs. 20,000 is accounted for there. Then we have formed a new subordinate engineering service, and men are gradually being promoted to that. We have not filled the cadre of that service at once by promoting all sub-overseers. We have only taken selected men with specially good records. But we have on the Sarda a very large number of men who have passed the overseer class at Roorkee and who have also passed out of Roorkee since the subordinate engineering class was formed, and these men, after a trial as temporary subordinates are promoted to the subordinate engineering service. The cadre of the subordinate engineering service must be increased by 100 posts over the old cadre on account of the Sarda, and Government have decided to increase the cadre, not by a hundred posts at once, but by twenty posts a year, since we only wish to take each year a limited number of men who have proved their worth as temporary men working on the Sarda. The cost of these promotions and the transfer of men from the sub-overseer class will be Rs. 24,000 more next year and this increasing expenditure will go on until the total cadre has been filled. Last year the Finance department made a very drastic cut from our budget; but they found that some of the cuts that they had made were a little too heavy, and so they cut Rs. 41,000 less from our budget this year than they did last year. And that accounts for another Rs. 41,000. The remaining item is only Rs. 22,000 and is made up of increments and small items, to some of which honourable members have called attention in the detailed budget. You will see, therefore, that we have not gone up in the cost of establishment to the extent to which some honourable members have led this House to suppose.

[Mr. B. D'O. Darley.]

Before dealing with specific charges, I would like to answer those honourable members who have said that our working expenses have gone up on account of the increased cost of establishment; they are trying to prove that our working expenses are too high by comparing them year by year with the revenue. The rise in the ratio of working expenses to revenue during the past few years is not due to the rise in working expenses, but rather to the decrease in revenue owing to a series of wet years. The ratio will go down once more when our revenue has risen to the normal. Mr. Chintamani has quoted the area irrigated two million and odd acres. But our normal area comes to very nearly three million acres. I challenge the statement that our expenses are higher in any way than in any other province. To compare our working expenses with those of other provinces, as my learned friend has suggested, it is necessary to take into consideration the factors in those provinces and to compare the conditions there with the conditions in these provinces. Take, for instance, the Punjab. In the Punjab from all the new canals they irrigate some 75 to 80 per cent. of the commanded area, whereas in these provinces we dare not irrigate more than from 35 to 45 per cent. of the commanded area for fear of water-logging. The result of this is, that in the Punjab they are able to irrigate twice our area for every mile of the canal, i.e., on the new Punjab canals one mile of the canal will irrigate twice the area that one mile of our canals irrigates. In other words, for a given area, or for a given revenue, we have to maintain two miles for every mile in the Punjab. Can we then compare the working expenses based on areas irrigated by our canals with those of the Punjab? I ask you to listen to some figures comparing the working expenses per mile of canal in the United Provinces, not only with that for the Punjab, but also with that for the Central Provinces, Bombay, and the surrounding provinces of Northern India. In these provinces we have got 10,000 miles of productive canals and our working expenses are Rs. 48 lakhs, the cost comes to Rs. 480 per mile, and that is the cheapest in Northern India. In the Central Provinces the figure is Rs. 502 per mile, in the Punjab it comes to 930 per mile, in Bombay the figure is 506. In the Punjab they spend on working expenses very nearly twice as much per mile of canal as we spend. That, I think, is a fair comparison, though I admit it is not free from criticism. It is much fairer, however, than any that have been placed before this House. I, therefore, say that our working expenses are lower than the expenses in any other surrounding province.

Now I come to the specific points mentioned by honourable members. Pandit Govind Ballabh Pant has accused us of over-budgeting. There, I am afraid, I must admit that we did over-budget in the past inadvertently, not with the idea of wasting money. The mere fact that we showed big savings also proved that we were not out to waste unnecessarily public money which has been allotted. It is very difficult to foresee what our expenditure will be. For example, an officer may go on leave or die and a low-paid subordinate officer may work in his place after we have provided for the pay of the officer. That is how savings occur. But this over-budgeting was rectified last year. The matter has already been taken up by the Finance department, that department cut down our figure last year to Rs. 54 lakhs, and it was



necessary to come up with supplementary estimates. That is, the cuts made by the Finance department to keep us from over-budgeting were a little too heavy, and we had to come up for further grants. What we are asking you to vote this year is in no way excessive. As I have already explained, there is only one lakh of rupees more this year. From the learned Pandit's opening speech it would appear that we are asking for some four lakhs more than we did last year under the head XIII A. This may be, but this is purely a matter of *pro rata* distribution. If the honourable Pandit or any other honourable member would like me to explain the question of *pro rata* distribution I will do so, but I cannot believe that this is necessary. You cannot compare the estimate under the head XIII A in one year with that for another year. The reason for this rise in cost under establishment XIII A is that for the last two years we have been repairing the flood damages charged to the head 55 from loan account. While these repairs were on, the establishment charges under XIII went down and the establishment charges under 55 went up, so that, although there has been an increase under XIII, you will find that there is a decrease under 55, which, to a large extent, covers this increase. If you will look at grant No. 10, at page 266, you will find that last year under establishment a sum of Rs. 1,54,000 was provided, while this year we are only asking for Rs. 88,800. It will, therefore, appear that honourable members cannot criticize the establishment under one head, but should criticize it as a whole.

My friend, Maulvi Muhammad Obaid-ur-Rahman Khan criticized a large number of items and pointed out where expenses had gone up in the detailed budget. That is a fair criticism. The honourable member complained that the expenditure under sub-overseers had gone up. The reason is, as I have already explained, that we are promoting temporary men from the Sarda to the subordinate engineering service, with the result that the cost of sub-overseers, who are included in the subordinate engineering service, has gone up; while that under temporary establishment has gone down. The difference here is due to the increase of pay given to this service.

Next comes the question of barkandazes and dafadars. The Maulvi Sahib pointed out that here the number has gone up by 35. This matter came before the Council in a supplementary estimate last year in April, and the increase in the number of dafadars and barkandazes was then sanctioned. These persons were cut down as a matter of economy some years ago. It was found utterly impossible to work without them. As stated already, the matter was explained to the House in some detail in April, 1926, and I do not think it is necessary for me to cover the same ground now.

Next come the signallers, where there is a small increase. It is due chiefly to the fact that we have opened a section of the Sarda canal, or rather a section of the canal which has been built from Sarda funds, to irrigate a small tract from the river Deoha in the Pilibhit and Bareilly districts, and we have had to put in telegraphic communications there to enable us to distribute supplies. The extra revenue which we will get will more than pay for these.

The question of draftsmen also came up before the Council last year in April in a supplementary estimate, with the result that their pay was put on an incremental scale. The small increase required to cover the extra cost involved.

[Mr. B. D'O. Darley.]

Next comes the temporary establishment. The increase under this head is entirely due to the Sarda Canal. We are gradually extending and laying out guls to distribute the water, which we hope to let into the canals next year.

With regard to amins and patrols we must have a sufficient number of them ready and trained to take up the Sarda canal irrigation next year. We cannot transfer men wholesale from open canals. It has, therefore, been decided to appoint four amins and fourteen patrols and to train them on open canals so that they may be able to take charge when irrigation is opened on the Sarda Canal.

**Maulvi Muhammad Obaid ur-Rahman Khan :** What about the temporary establishment under different heads?

**Mr. B. D'O. Darley :** The Roorkee College has now ceased to train men for the lower subordinate class. It only trains men for the upper subordinate class. We, therefore, cannot get sub-overseers trained in these provinces up to the standard required. Consequently, we are compelled to take men from Roorkee College, and as these men are trained as overseers, we are equally compelled to give them a higher pay than they would otherwise have got if they were trained as sub-overseers. While in the past we used to get men on Rs. 45—60 we are now constrained to pay them Rs. 80. They are all men who have passed the same examination as the subordinate engineers.

I now come to Dr. Shafa'at Ahmad Khan. He has pointed out that the Punjab pay 10 per cent. revenue. As I have already stated, we cannot compare the Punjab with the United Provinces. The conditions in the Punjab are quite different. I have already shown that the Punjab have got only one mile of canal to irrigate a certain area compared to our two miles. Another explanation is that the Punjab rates are higher than ours. I may quote figures. The only figures which you can compare are of two adjoining canals under the same conditions. I will take the Western Jumna Canal in the Punjab and the Eastern Jumna Canal in the United Provinces. On the Western Jumna Canal they charge Rs. 12 for sugarcane, whereas we charge only Rs. 10. For wheat they charge Rs. 5-4-0, whereas we charge only Rs. 5. For cotton they charge only Rs. 5-8-0 an acre, whereas we charge only Rs. 3. For rice the rates are the same. In identical circumstances the Punjab charge higher rates than we do. Their share of land revenue must be much higher than ours. They take up their barren land and irrigate it and then sell it at an enormous profit. If this House thinks that we should show an increase in revenue, it cannot be done by reducing working expenses but by charging reasonable rates for irrigation. I have already explained that you cannot compare the cost of establishment with the revenue. The revenue fluctuates, but the establishment remains very much the same.

I now come to Mr. Chintamani. He has criticized, in detail, every small increase in the establishment. I take them one by one. Under "direction temporary" he has referred to an increase of four persons. This is due to the fact that we required two extra clerks in the Secretariat to cope with the work.

We had reduced our staff more than it was advisable to do when the Superintending Engineer's offices were brought into the Secretariat and now we must increase it. The other two refer to tindals whose pay was previously charged to contingencies. As regards the increase under Subordinate Engineers, dafadars, signallers, etc., I need not repeat the same thing over again, they have already been dealt with.

I think I have said enough to show that we are not extravagant either in the working expenses or establishment in these provinces.

**Mr. E. A. H. Blunt:** My task to day can be described to a certain extent as dotting the i's and crossing the t's of Mr. Darley's remarks, in matters which appertain to the Finance department. The first question is that of over-budgeting in the early years of the Reforms. I entirely agree that there was over-budgeting. The Finance department knew it. They disliked it at least as much as the honourable member for Naini Tal, and they did what they could to stop it. At least in 1924-25 certain changes in budget procedure were introduced which enabled the Finance department to get a tighter hold on the Irrigation budget. The result was that in the next year the saving, which had been four lakhs in the previous year, went down to one lakh.

This year, as Mr. Darley has pointed out, there is not likely to be a larger saving than one lakh: it will quite possibly be less than a lakh. Next year, well, the saving is a matter that is still on the lap of the gods, or rather of Mr. Darley. So far as over-budgeting is concerned, let us hope that this is a thing of the past. Another point to which I wish to refer, and about which several honourable members, directly or indirectly, complained, is the form in which the budget has been prepared. It is a bad form. I have been wanting to change it ever since I have been Finance Secretary. But I have not yet succeeded. It is one of the things which have been allowed by time. But time now must go to the wall. Mr. Darley and I have determined to change the form of the budget entirely. By next year we hope to do what we have succeeded in doing in the Buildings and Roads, namely, to divide the budget into two parts, one relating entirely to establishment of all kinds and the other dealing with works themselves. If that method is adopted, one difficulty will disappear entirely, namely, that connected with the *pro rata* distribution. I did not expect, I admit, that a man so clever as my honourable friend the member for Naini Tal would fall into that trap, against which I have warned all honourable members in the memorandum; on matters of establishment we should not deal with individual figures, we must take them all together. As a matter of fact, most honourable members to day have been discussing the establishment as a whole. But even so, they have not gone far enough. It is not merely a question of looking at four different items in one budget; it is necessary to look at seven different items spread over three budgets. I do not want to amplify what Mr. Darley has said on this point. The position is simply this, that the revised estimate of the establishment of all sorts in the Irrigation Branch during the current year is Rs. 50,59,000, next year it will be Rs. 51,67,000, an increase of Rs. 1,08,000 instead of Rs. 2 lakhs which the honourable member wishes to cut.

**Pandit Govind Ballabh Pant:** Does this 51 lakhs include salary and leave allowances in England?

**Mr. E. A. H. Blunt:** No. 1 have simply taken all the figures for establishment from three different budgets. The figures for leave allowances in England are entered separately. As regards the increase of Rs. 1,08,000, Mr. Darley has explained the main causes of it.

To return to the form of the budget. What is really wrong is that it does not give a lot of information which should be there and gives a lot of information which should not be there. At all events, one thing that we shall do next year is to remove misleading information out of harm's way, though it will still be available in some form.

The last matter to which I have to refer is the honourable member for Partabgarh's quotation from the Accountant General's review on the administration of the Irrigation Branch. The Accountant General, who is now called the Director of Audit, has reproduced these remarks in paragraph 51 of his Reappropriation Report for the year 1924-25. I shall not of course read these remarks. But the public accounts committee have considered them: and their opinion is given in paragraph 30 of the eleventh report, which was presented to the Council last January. I will read a small portion of that paragraph. The Report says:—

“The Committee, after discussion with the Director and Finance department officials, make the following observations:—

(1) The charges on restoration should certainly have been taken as unproductive, and not added to the capital account; and the Finance department informed us that the loan taken for the purpose was so classed. In the circumstances we consider that the accounts classification was clearly incorrect.” I may tell you that the Director of Audit has both admitted and corrected the mistake. In other words, this matter to which the honourable member has drawn attention has been finally settled, first by the Director of Audit, who has corrected the mistake; secondly, by the Public Accounts Committee; and, thirdly, since this report has been adopted, by the Council itself.

**The Hon'ble Sir Sam O'Donnell:** I can assure the honourable member for Naini Tal that my attitude towards the Irrigation department does not in any way differ from my attitude towards other departments. I have never asked the Finance Secretary to be more tender towards the Irrigation department than he is towards any other department. I am quite sure that in connexion with the preparation of the present budget he was far from tender—that was inevitable, seeing that the budget was a deficit budget. In these circumstances any Finance Secretary, any Finance department, or any Finance Member would have had to make as many economies as were possible. That is what we endeavoured to do.

Mr. Darley has shown very clearly the fallacies which underlie the statistical comparisons to which we have listened to-day. It has been said that you can prove anything by statistics. That in one sense is not a fair criticism, and in another sense it is a very fair criticism of the way in which statistics are frequently used. In every statistical comparison you must make allowances for the various conditions and factors which may affect the figures. If you do not, then you are not entitled to draw any inference. For example, from the fact that the

mortality has been greater in one locality than in another locality it is not fair to infer that the doctors in charge of the former locality are worse than in the other locality. Again, from the fact that the number of dacoities committed in one area is greater than in other areas it does not follow that the police are worse in that area than in other areas. If you compare the working expenses on the basis of the percentage of such expenses to the receipts or the revenue you are overlooking the fact that the percentage is affected by the conditions of the year. In one year the rainfall may be insufficient. In such a year the cultivators will take more canal water. There will be a great increase in the area irrigated, and the revenue will go up. The percentage of working expenses to the revenue will fall. Similarly, if you take the case of the Punjab and compare the conditions you will find that there is a great difference, and this naturally affects the percentage of expenses.

A voice :— What about the cost of labour ?

**The Hon'ble Sir Sam O'Donnell :** The cost of labour may also be higher in some places than in others. Mr. Darley has dealt very clearly with the detailed criticisms which have been passed about the working expenses. But, in corroboration of what he has said, I would ask honourable members to refer back to what the Economy Committee said. That Committee, a very able Committee, took evidence on the point and went into the figures most carefully. If you refer to the Report you will see that they point out that there has been an increase, a very heavy increase, in the cost of the executive establishment ; but they go on to recognize that it was inevitable owing to the great rise in prices which affected the cost of everything. Then you will see that when they come to make recommendations for reduction, the recommendations made are on a very small scale indeed ; the total reductions recommended by them were quite small ; and, finally, in the last sentence of their report they say that there has been in this branch a very good response to the need for retrenchment. I believe that no other department with which the committee dealt received such a testimonial. Since then what has happened ? There have been certain increases due to lambarbars' fees or to increments or to the creation and gradual expansion of the subordinate engineering service. We, of course, are not alone in establishing such a service. It is being established everywhere else in India ; the object is to replace sub-overseers by men of better training and more reliable character. Otherwise fluctuations in the establishment had been of a quite minor character. There may be a few tindals more in one year and a few tindals less in another year, and so on.

Then, Sir, the honourable member for Partabgarh referred specifically to the question of the fourth superintending engineer on the running canals. Now, Sir, I dealt with that question in the budget of last year, and I have practically nothing to add what I said then. The honourable member for Partabgarh has doubts regarding the necessity for superintending engineers. Well, Sir, I hope in the course of time these doubts will disappear. We all live and learn from year to year, and it may be that the honourable member will eventually come round to our point of view. But, at any rate, the need for superintending engineers has not been challenged in the present debate and was accepted by the Economy Committee. The only question we are concerned with at the moment is the question of the fourth super-

[The Hon'ble Sir Sam O'Donnell.]

engineer. Sir, it is quite true that the Economy Committee did recommend a reduction of one of these four superintending engineers. In making that recommendation they seem to have been influenced by the views of the late Chief Engineer, Mr. Laurie. Mr. Laurie was alone of the opinion that that reduction was possible and desirable. I do not believe that there was a single other officer in the department, Indian or European, who accepted that view; and when Mr. Laurie was succeeded by Mr. Jwala Prasad the first thing that he did was to urge me to reconsider the position. As he would tell you himself, I was very reluctant to do so, and at first I was not prepared to agree. At that time my experience of the department was very limited. I do not claim at the present moment that I am in any way an expert on the subject of irrigation, but three years have elapsed since then and I know a good deal more about the department now than I did then. Eventually, and after considerable hesitation, however, I came round to his view. There is no other department in which supervision is more essential than it is in the Irrigation department. To see that you have only got to consider what the irrigation system consists of. It consists of thousands of miles of branch canals, distributaries, minors and channels, and all these have got to be kept in working order. Of course, it is primarily the business of the executive engineers and the sub-divisional officers to see that they are kept in order, but human nature is human nature, and these officers are human like the rest of us and they work better under supervision than they do without supervision. We have had ample proof only recently in one circle. A very energetic officer was posted there as superintending engineer, and I believe everyone acquainted with that circle would agree what a difference that has made. If anyone thinks that three superintending engineers ought to be able to do the work I say look at the irrigation map. A superintending engineer has 4,000 miles of canals and branches and distributaries. It is impossible for him to inspect all of them every year, and no one expects him to do so. But he must inspect a proportion sufficient to satisfy himself that the work is being properly done; that money is not being wasted; that channels are being kept clean; and, if he does that, it is all that he can do, making every use of the means of transport at his disposal to get round his circle. It must be remembered that we always had four superintending engineers. The figure is not an arbitrary one. It is a figure based on the experience of generations of experienced officers and it was not until the year 1923-1924, when everyone was out to make any economy possible, that any suggestion for reduction was made. And if it had not been for the fact that one officer took the view that a reduction was possible I do not think the Economy Committee would have made any such recommendation.

The other point was the personal assistant to the Chief Engineer. Here, again, the Economy Committee seem to have been influenced by the opinion of Mr. Laurie. But there was a sequel to that. Mr. Laurie repented of that recommendation, and, before he went away he recommended that the post should be restored. His successor, Mr. Jwala Prasad, never had any doubts on the point at all. He was quite satisfied that if he were deprived of the services of the personal assistant a great deal of his time which ought to be given to touring, inspection, and the larger problems would have to be devoted to clerical work. I am quite sure that

that is so. On these matters we have certainly reconsidered our position. I noticed, however that the other day in a debate in the Assembly it was so stated that there were a number of reductions proposed by the Economy Committee of the Central Government which had subsequently been restored. It is inevitable that that should be so. The cold fit was on us at that time, and we made economies right and left wherever we could, and subsequent experience has shown that some of those economies were not justified.

The only other point I wish to make is this. I have really no reason to believe that the figure entered under "Establishment" is excessive, but I am anxious to show to the Council that we are prepared to make every effort to make any reduction that is practicable, and therefore I am prepared to accept the reduction moved by Maulvi Obaid-ur-Rahman Khan of Rs. 33,500. I do so, of course, subject to the right, if we find more money is required later in the year, to come up with a supplementary estimate. Subject to that condition, and, in order to show that we are anxious, if we can possibly find any means of making a reduction, to make it, I am prepared to concur in that reduction.

**Pandit Govind Ballabh Pant:** I have listened to the speeches of the members sitting opposite with respectful attention, for in a matter of this character I am fully conscious of our great limitations. I agree with some of the observations that have been made. I hope and believe that we all live to learn, and I am certain that no prejudices will obsess the benches opposite in keeping this minds open, even if it be a matter relating to reduction in staff.

Sir, the position has been accepted to this extent that there has been an increase in the provision under Establishment. It is also admitted that in previous years there was over-budgeting, too. As to the latter we are told that now the situation has been brought under control and there is no danger of this sort. I, however, find in this very budget which we have with us that there is a considerable difference between the budget estimates and the revised estimates for the year 1926-27. The original provision was . . .

**Mr E. A. H. Blunt:** May I explain, Sir, that supplementaries have got to be included there?

**Pandit Govind Ballabh Pant:** If the supplementaries have to be included, that shows that the situation is still worse. It means that while the original provision was 25 59, the department now expects to carry on with 24,27. The budget estimate of 1926-27 comes to 25,95.

**Mr E. A. H. Blunt:** *Pro rata*.

**Pandit Govind Ballabh Pant:** I am coming to *pro rata*. The revised estimate comes to 24,27, so that the revised estimate falls short of the budget estimate by 1,70. So we find that so far as the original figures are concerned, the Finance department have found at the close of the year that they had overbudgeted to the extent of 1-70 in 1926-27 itself. Well, to that extent obviously either the situation is altogether out of hand and even the resourcefulness of the Finance Secretary cannot in any way bring it under control in spite of his volume and strength and intellectual keenness, or the figures

[Pandit Govind Ballabh Pant.]

on account of this *pro-rata* account are too confusing and complex even for him. However, the situation is there, Sir.

Then, Sir, coming to the actual expenditure, it is admitted that, so far as this head is concerned, there is an apparent increase of 3,70. We are told that statistics by themselves are not conclusive. I entirely agree, in so far as those quoted by Mr. Darley are concerned. He has purposely left out Madras and drawn in Bombay, knowing full well that there the works are entirely of a protective character and hardly of productive nature, the expenditure for running the canals not being equal to the revenues earned by the canals. Then, Sir, he has also ignored another feature. Though I admit that acreage is affected on account of compactness, but still the revenue that is earned is also an important factor. It affects at least the *lambardari* fees and it affects the cost of the Revenue department. He perhaps knows that in the Punjab the income is not less than triple of what it is in our own province. He is also aware of the fact, I think, that the total area irrigated there is more than three times the area irrigated in this province and he is also aware, I believe of the fact that the mileage there is more than it is in our province. And he also knows, I think, that in Madras the mileage is more but the expenditure is much less. If we take the expenditure *pro-rata* per acre, in Madras it would come to less than half and in the Punjab to about three-fifths of the expenditure in our province. I leave aside the invidious comparisons, specially when we have no representative from those provinces here. I confine myself to this very province and I think that it is admitted that there has been a phenomenal growth in this province itself. We are told that since 1913-14 there has been a very huge increase in the cost of living. I admit; but that cannot be said about 1921-22, that cannot be said about 1922-23. What justification is there for this huge expenditure between these years and this? In the year 1924-25, for example, the total expenditure under all heads comes to about 47 lakhs, while in the present year, if we include the leave allowances and salaries and so on, it would come to about 57 lakhs. There is a huge increase, it cannot be denied, and, even if you confine yourself to irrigation expenditure proper, then too it would be at least four lakhs above what it was only two or three years ago. Now, Sir, I cannot credit the department with that amount of sagacity and regard for economy as would lead me to believe that in spite of having lots of money at their disposal they have purposely refrained from utilizing it. I think they made every possible use that they could of the funds that were at their disposal but could not afford to spend more. That has been the method that has been adopted so far, and that certainly induces us to be more cautious for the future. Then there is another point which has to be borne in mind. In fact we are burning the candle at both ends. On the one hand the area under irrigation is going down year by year. If you will look at the figures you will find that in 1919-20 the area was 3½ million, in 1920-21 it was about that much, in 1921-22 it was 26 lakhs in 1922-23 it was 26 lakhs, in 1923-24 it was 19 lakhs, and in 1924-25 it was only 22 lakhs. There is this peculiar feature of this irrigation revenue that if the season is propitious, if we have got copious showers and distribution is even, then the income under irrigation is likely to go down. If we hope and pray for better times then we have to be prepared for a shrinkage in the area that may be



irrigated hereafter. That will naturally affect income, so on the one hand income is going down, and I am not taking into account arrears realized this year or likely to be realized next year. On the other hand, the expenditure is going up. How are these two things to be carried on simultaneously that is the conundrum that has to be solved, and the best solution lies in making a reasonable reduction in the cost of maintenance charges under establishment. Sir, Mr. Blunt and Mr. Darley referred me to the principle of *pro rata* distribution. Well, what I find is this, that next year the expenditure under the Sarda canals is about 16 lakhs less than what it was during the current year. But the reduction in the amount provided is not adequate. Now what does this *pro rata* distribution mean? Does it or does it not in reality indicate the proportionate expenditure under a particular head? Otherwise it is a misnomer, it has no sense whatever. What *pro rata* distribution means is that while the staff may not be common and undivided in the beginning the total expenditure under Establishment is distributed in accordance with the expenditure under Works, Maintenance, and Repairs under different heads. If that is not the case, as Mr. Blunt tells me, then I fail to understand what *pro rata* distribution can mean, except that it means that the total charges are to be distributed in accordance with the actual expenditure incurred under various heads. If that is not the meaning, then it can have no meaning. I am entitled to rely on these figures, and Government is, in a legal phrase, estopped from denying the correctness of the figures supplied by them and they show there has been an increase of three lakhs and more. Mr. Darley based his case mainly on figures of Sarda Canal. I have not referred to them, but even there I should say that the expenditure there comes to about 20 per cent. of the capital outlay. I will just say that the total expenditure under Sarda for the next year comes to 92 lakhs, and the total expenditure under the head of Establishment comes to about 17 lakhs, that is, you are spending 17 lakhs for constructing works of the value of 92 lakhs. That is obvious. Well, 17 lakhs for 92 lakhs—it is only a question of figures, and it comes to something about 20 for a hundred, and that is certainly more than 16 per cent.

**Mr. B. D'O. Darley :** I said for the current year.

**Pandit Govind Ballabh Pant :** I am not concerned with the past, but with the future. So for the next year it means, roughly, about one for five and a half, which would give something like 19 per cent average. In the Public Works department the *pro rata* distribution comes to something like 17 per cent. We have to take this into account that when one canal is being constructed at a particular place, then the staff has to deal with a compact area and must be able to do it more economically than if the whole thing were scattered over a large expanse. Taking that into account, the expenditure is in no way economical. I am not prepared to accept that it is being done more economically: the percentage is high enough. I think it is not necessary for me to labour the point any further. I am sorry to hold that I think that a reduction of 20 lakhs is quite the reasonable thing to do and, while I thank the Finance Member for his readiness to accept the suggestion of the honourable member for Aligarh I am sorry that I still feel that, unless further economies are affected, the Irrigation department is to be run into bankruptcy in course of time, and, with a view to save it fr

[Pandit Govind Ballabh Pant.]

calamity, I have still to appeal to honourable members to keep it alive and to accept the motion I have made.

**The Hon'ble Sir Sam O'Donnell:** The speech of the honourable member for Naini Tal well illustrates the difficulty which confronts us in a discussion of this kind. Honourable members opposite come down to the Council armed with a number of volumes of statistics and pour out these figures on us. We have not the figures in front of us, we have had no opportunity to examine and check them, and it is difficult, therefore, for us to put our finger exactly on the spot where the fallacy is. We know that there is no large increase, and that the charge of extravagance is baseless. We cannot be expected, however, when confronted with a mass of figures to trace where the error occurs in detail. It is quite certain that since 1923-24, though there have been some increases, I mentioned them in my earlier speech, there has not been any large rise. And up to 1923-24 the Economy Committee recognized that we had not been extravagant. As to the *pro rata* question, I would suggest to the honourable member for Naini Tal that he should discuss it with the Finance Secretary outside the Council and then he may be able to realize that he has not properly understood it.

The honourable member put forward figures which he said indicated that we were heading towards bankruptcy, the area under irrigation, he said, was going steadily down. The decline in irrigation, however, is due simply to a series of wet years. Everybody knows that when the year is dry cultivators are most anxious to get water. In how many debates in this Council have not honourable members clamoured for more water? Again and again the complaint has been made that the Canal department are unable to meet the demand, or that our rates were too high, or that we could not provide water when required. The honourable member for Naini Tal went back to 1919-20 and said that in that year the area was three million acres. It went down subsequently; in 1923-24 it was 1,990,000 acres. I remember that year well. I remember that every time, just at the period when normally cultivators take water, down came rain. I remember saying to the Finance Secretary, I think, that we could not grudge the cultivators the rain, but that it was going to hit our revenues.

Then from our point of view, not from the point of view of the cultivator but from our point of view, a better year followed, and we find that the area went up to 2,225,000 acres, and in the year after to 2,845,000, that is, very nearly to the figure of 1919. Therefore, there is not the slightest reason to suppose that there is going to be any decline in the irrigated area. Sir, it is quite possible, as some people who delight in gloomy prophecies tell us that we shall have, in the next few years, a failure of the rains. Then we shall see what the area under irrigation will be.

As to the Sarda and the percentage of establishment charges to the total outlay, well, this year the provision for the Sarda Canal is Rs. 92 lakhs. As the Council knows we have to pay interest on the money which we take. Therefore, we do not want to take more than we are certain to spend. It may quite well happen that the sum taken will prove insufficient, and, if so, then the percentage will fall, say, to 16 per cent., which is a very low percentage. A far better test is to compare the

expenditure on establishment on the Sardar Canal with the expenditure on establishment on similar large works under construction in other parts of India. And I ask honourable members to look at other large works that are under construction in India; take the figures of those works and compare them with the figures of the Sardar Canal; take their estimates and our estimates, and I am sure the comparison will not be unfavourable to the Sardar Canal. I do not believe that there has ever been a large work of that kind constructed in India which has been constructed on more economical lines.

**The Hon'ble the President:** The motion put forward originally was for a reduction of rupees two lakhs; since when an amendment has been proposed that the demand be reduced by Rs. 33,587. Since when another amendment has been moved that the demand be reduced by rupees one lakh instead. The question is that the demand concerning establishments be reduced by rupees two lakhs.

*The motion was put and negatived.*

**The Hon'ble the President:** The next question is that the demand be reduced by rupees one lakh.

*The motion was put and the Council divided as below:—*

*Ayes, 31; Noes, 29.*

*Ayes.*

Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Sri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Babu Mohan Lal.  
Mr. C. Y. Chintamani.  
Khan Bahadur Hafiz Hidayat Husain.  
Shaikh Muhammad Habib-ullah.  
Rai Bahadur Muoshi Ambe Prasad.  
Raja Jagannath Bakhsb Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.

Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Raja Kushal Pal Singh.  
Kunwar Surendra Pratap Sahi.  
Haji Abdul Qayum.  
Maulvi Saiyid Habib-ullah.  
Mr. E. M. Souter.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I beg to move a substantive reduction by Rs. 50,000 of the item concerning Working Expenses, works for which capital accounts are kept—pages 10 and 11 of the Detailed estimates under sub-head "(2) Unproductive works."

**The Hon'ble the President:** The House has already carried a big reduction under "Establishment" on a previous motion. Is it still desired to discuss it under "Unproductive works"?

**Maulvi Muhammad Obaid-ur-Rahman Khan:** This relates to unproductive works. It has nothing to do with productive works.

If honourable members refer to pages 10 and 11 of the Detailed estimates they will find that detailed working expenses are given under sub-head Unproductive works—of different canals. Let us take first the Sukhra Canal. Under this canal there is a large increase of Rs. 18,386 in the year 1927-28. If you care to examine it you will find that the actual outlay in 1925-26 was Rs. 3,752. In the budget estimate for 1926-27 the sum allotted for Sukhra Canal was Rs. 4,664, while in the revised estimate for 1925-27 the expenditure is shown as Rs. 5,514. Now they are budgeting a sum of Rs. 23,900, i.e., there is an increase of Rs. 18,386, comparing it with that of the revised estimate of 1926-27, which is higher than any sum ever spent upon this item. So far I could not find any reason for this increase in the details of the work which are given here.

**The Hon'ble the President:** May I just interrupt the honourable member? Has he taken this item from the Civil Detailed estimates of the Irrigation Department?

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I am speaking on item on page 10 of the Detailed estimate of the Irrigation Department. I wish to examine from pages 10—11. Now I come to Pahuj and Garhmau canals. You will find that in the year 1925-26 the actual outlay was Rs. 25,432; while the sum allotted for the year 1926-27 is shown as Rs. 36,580, and now they are budgeting for a sum of Rs. 40,250. Thus there is again an increase. Now I come to Ken canal. You will find under this branch a vast increase. The actual outlay for the year 1925-26 was Rs. 2,12,230; while the budget estimate for 1926-27 was Rs. 2,08,750. Now the budget for the year 1927-28 shows a sum of Rs. 3,32,190. If you turn to page 11 you will find a lump sum grant for works costing Rs. 20,000 and under placed at the disposal of the Chief Engineer a sum of Rs. 20,000.

**The Hon'ble the President:** What lump sum is the honourable member referring to?

**Maulvi Muhammad Obaid-ur-Rahman Khan:** It is on page 11, Sir.

**The Hon'ble the President:** The difficulty is that the honourable members were a short while ago discussing the entire working expenses.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I am discussing the items under unproductive works. There is this item of Rs. 20,000. There is a very large increase under Dhasan Canal also. The actual outlay for 1925-26 was Rs. 1,18,339, while in the budget estimate for 1926-27 it was only Rs. 1,40,806. Now they are budgeting in the estimate for 1927-28 Rs. 2,05,800 for that item. No one knows how much it will come to when the revised estimate for next year appears. As they are budgeting a larger sum for the year 1927-28 than they did for the year 1926-27. If the expenses go on increasing year after year it will become impossible for us to spend any money on the departments which are known as the nation-building departments. With these words I commend my motion to the acceptance of the Council.

**Pandit Govind Ballabh Pant:** I will not make an inroad on the patience of the House again in this connexion. I will only refer to one or two points. In the annual administration reports of the Irrigation department are given figures from 1892 to 1925 relating to the financial results of the working of the unproductive works, and any one who studies them will be satisfied that, so far as these works are concerned, the deficit has been growing larger and larger for some years in succession. If honourable members will refer to page 201 of the Detailed estimates they will find that the total receipts expected from the unproductive works during the next financial year come to about Rs. 6,37,000, while the expenditure comes to eleven lakhs. Thus these unproductive works will be functioning during the next year at a net deficit of Rs. 4,65,800, the working expenses having gone up from Rs. 8,21,000 to Rs. 11,00,800 during the current year. The provision during the current year in the revised estimate is Rs. 8,21,000, while for the next year a sum of eleven lakhs has been provided. In the accounts for 1925-26 it was only Rs. 7,98,000. So under the head of "Unproductive works," if the total demand of eleven lakhs were granted, the province would be put to a loss of Rs. 4,65,000. It is a considerable amount, and I think it behoves the Government to make a reduction. There is absolutely no reason why, when the revenue under this head is going down, the expenditure should go up. If honourable members will again look at the figures at page 201 they will find that direct receipts in 1925-26 came to Rs. 6,80,000, while the expenditure amounted to Rs. 7,98,000. This year the income has gone down to Rs. 6,29,000, but the expenditure has mounted up to eleven lakhs. In the circumstances it is but fair that the establishment charges should be criticized. I will not take more time of the Council. I will only refer them to the remarks of the Auditor-General, where it is stated that the Government should take note of the situation and see that the expenditure under this head is brought down at once.

**Khan Bahadur Maulvi Fasih ud-din:** I move that the figure "23,000" be substituted for "50,000."

I beg to submit that, as a matter of sound policy, unproductive works should be considered by this Council with great caution. They may be permissible in inferior tracts like the tract of Bundelkhand, where the soil is so inferior that it can only grow a single crop in a year, but my information is that these unproductive works exist also in the doab of the Ganges and the Jumna, and for this reason I think that an increase under unproductive works should be looked upon with great care. I find that at page 59 a provision of Rs. 4,12,050 has been under this head, which is Rs. 82,000 above the revised figure and Rs. 24,000 above the figure of 1926-27. Unless there are very strong and convincing reasons for this increase under unproductive works, the Council would be well advised in not voting the increase which has been asked for; and because there is an increase of Rs. 24,000 in the figure of the present budget over the figures of the budget of the current year I have considered it safe to put down the figure at Rs. 23,000.

**Mr. E. A. H. Blunt:** I said just now that I propose next year to change the form of the budget. The present discussion has convinced me of the need for doing so. I also said that I was care to remove certain misleading information out of ha-

[Mr. E. A. H. Blunt.]

The information which I propose to remove in this budget is from pages 7 to 23. Here we have the *pro rata* distribution again. I do not suppose Maulvi Obaid-ur-Rahman Khan Sahib realizes that, though he referred to the figures on pages 10 and 11, he has actually been discussing the figures on page 59 of the main budget. The figures at page 59 of the main budget are precisely the same as those on pages 10 and 11, but in the latter place they have been broken up by divisions; and the figures of establishment, to which he seems particularly to object, only represent an artificial distribution calculated according to the amount of work to be done in those divisions. The honourable member for Naini Tal just now seemed to be a little dubious of what *pro rata* distribution is. I have explained it before, but as this is a new Council I may be excused for explaining it again. To get a *pro rata* distribution the first thing to do is to add together all expenditure on works and repairs throughout the budget. Having done that, similarly add together the total establishment expenditure. Then the works expenditure in each division is multiplied by the total establishment expenditure, and the result divided by the total works expenditure: this gives the *pro rata* figure of establishment for that division. I could explain the whole thing much more easily on a black board; but suppose you have got two divisions, having works of Rs. 40,000 and Rs. 80,000, and the total establishment charges on the two divisions is Rs. 60,000. In that case the *pro rata* distribution of establishment would be Rs. 20,000 in the first division and Rs. 40,000 in the second. Suppose, again, that next year the expenditure on works in the first division is Rs. 80,000 and in the second Rs. 20,000, then the *pro rata* figures of establishment in the first division will be Rs. 48,000 instead of Rs. 20,000 and Rs. 12,000 instead of Rs. 40,000 in the second division. And then, I suppose, some honourable member would move a reduction of Rs. 28,000 in the first division, though, as a matter of fact, there has not been any increase in establishment whatever. All that has happened is that two figures have been changed in accordance with a certain mathematical formula. Well, this debate is nearly at an end; but before next year I shall take care to remove this *pro rata* distribution out of the budget. It has been a source of misunderstanding to honourable members long enough.

**Mr. B. D'O. Darley :** Mr. Blunt has explained very clearly the *pro rata* distribution. I would refer honourable members, however, to page 17, where they will see that under 65A Ganges Canal the revised estimate of the current year stood at Rs. 2,68,870, but there is no provision for next year. Under the establishment a little lower down there was a provision of Rs. 25,300 this year, but no expenditure is now required. This shows clearly that you cannot criticize establishment figures in the body of the budget. This establishment has not been dismissed, a share of the pay was entered last year against works sanctioned under 55A. These works have now been completed, and so the pay of that establishment must go somewhere else, it has gone to the head XIII A, and that explains the increase which has been pointed out to this House.

Maulvi Obaid-ur-Rahman Khan wants to know what these works are in Bundelkhand for which these extra funds are required. There were accidents to two weirs in Bundelkhand last year. The upper section for

a considerable length was carried away by floods. From the Dhasan Canal we anticipate that we will receive only Rs. 37,000 revenue this year as compared with Rs. 76,000 last year, a loss of Rs. 39,000. I think that everyone will admit that it is very necessary to repair the damaged weir to regain this revenue. Other dams will also be strengthened, so that a similar accident may not occur to them. This, also, is the reason for the increase under "Establishment" and under "Tools and plant."

**Maulvi Muhammad Obaid-ur-Rahman Khan:** When the motion that has been carried by the House was being discussed I was under the impression that the motion which is now being discussed was quite different, and that on this assumption I reserved some of my remarks. I am not quite clear if the two motions are one and the same, and that the first covers the second. If the motion that has been carried covers the present motion I will withdraw it. If not, I shall press it. I want a ruling from the Chair.

**The Hon'ble the President:** It is difficult for the Chair to give a ruling. I would point out to the House that the motion carried by the House previously dealt with establishment, and, in discussing the present motion, the House might consider that point twice over. If I understand the budget aright, the establishment under the canal department is lumped together, and it is practically on one cadre. For the sake of account only it is that a certain share of the cost of establishment is charged to productive works, and a certain share to unproductive. If that is so, speeches on the previous motion that the honourable members were discussing "Establishment of the Irrigation department" the motion that was carried by the House do cover the present motion.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I beg to withdraw my motion.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Maulvi Fasih-ud-din:** I beg to move a (token) reduction of Rs. 100 under sub-head "B—Total, Rs. 45,43,050."

**The Hon'ble the President:** Honourable members will see that by giving notices of token cuts under sub-heads they are likely to discuss their motions before those which are given relating to the entire head. In such cases honourable members should restrict their remarks to the specific head or heads to which their notices refer and not discuss the whole department or the policy of the department as a whole, as by so doing they forestall those honourable members who give notices under the entire head. If they wish to bring the whole of the department under review they are entitled to give notices of motions under the entire head and discuss it at the proper place. I hope honourable members will act up to this, that is to say, where a token cut is under a sub-head members should restrict their remarks to the matters covered by that sub-head and not bring the whole department under review. It is only when the token cut is under the entire head that the activity of the whole department or the policy of the whole department should be discussed, I am not saying this with special reference to honourable members or the honourable member for Pilibhit, who has so far, I am sorry to note, practically denied to the House his Nestor-like advice. I am speaking generally without casting any reflection on any honourable member here. I hope it is clear.

**Khan Bahadur Maulvi Fasih-ud-din:** I was going to discuss the general policy of the department as regards the productive works, and, as the Chair has given its verdict that they can be discussed when the whole of the department came under discussion, I may not discuss this just at present.

*The motion was, by leave of the Council, withdrawn.*

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I beg to move a (token) reduction of Rs. 100 under sub-head "Charges on collection of revenue." As will be seen by the nature of the motion which I have just moved I do not want really to make any substantial cut. But what I want to emphasize on the Government is that the manner in which they collect the revenue is objectionable in certain respect. I raised this point last year also, but I was not satisfied with the answer that was given at that time, nor am I satisfied with it up to this day. Sir, the method of collecting irrigation revenues is this. A period of three months is allowed to lambardars within which they should send the revenue to the Government treasury since the jamabandis are sent to those lambardars, but if they fail to deposit the revenue into the treasury within that period then the revenue officers resort to any legal punishment which they are empowered to inflict under the Revenue Act, so much so that they may force a lambardar to pay it even though it may be the case that the lambardar has not been able to realize it from the tenants from whom it was really due. There was no bound to my surprise when I found that in some tahsil in certain district some tahsildar realized it by force even before the expiry of the period of three months. When lambardars raised the objection that the period had not expired no heed was paid to it. This period is allowed to them for collecting the money from tenants, and for this work they get a commission of nine pies per rupee from the Government, but the Government is always in a position to force lambardars to pay the money even within the time allowed. This, I think, is certainly not fair, and, if the Government is not willing to give proper latitude to these lambardars, then my suggestion is that Government should realize the canal revenues directly from tenants instead of asking the zamindars concerned to collect the said money.

*At this stage the Deputy President took the Chair.*

The duty which is entrusted to them puts a burden on their shoulders much heavier than the compensation which they receive in return. What they receive is only nine pies in a rupee. So far as my knowledge goes, they are put to very great trouble in that connexion, and, when anyone raises any objection, no attention is paid to it.

My second point is that there are certain tracts under the Irrigation department which for a period, say, that of three or five years are put to auction, and the result is that they are given to zamindars for a certain sum on leases, and, if the zamindar is not willing to pay that much sum, he is forced to do so. I can give specific instances if I am required to do so because I have personal experience in the matter. Undesirable persons are induced to come forward and to bid. It certainly affects the privilege and prestige of the zamindar of that very village. One who takes that land on the lease instead of gaining anything from it suffers a loss generally. I know those instances in



which zamindars have taken those tracts and they have incurred losses over them. So my submission is that these tracts should be sold to the zamindars according to a scheme that was once put forward by some of the executive engineers. I was told once that an executive engineer of my own district submitted such a scheme to the Government, but I do not know what happened to that scheme. It will relieve zamindars from taking it on a lease for a period of three or five years again and again, and it will also save the trouble of the Government to a great extent. But if Government are not willing to accept that scheme then certainly they should see that if the zamindars do not benefit by such leases at least they should not suffer any loss. I hope these two points of mine will receive favourable consideration at the hands of the Government.

**The Deputy President :** Gentlemen, at the meeting of the Council on the 15th I stated that the Hon'ble the President's intention was to fix 15 minutes as the time-limit for speeches on the budget demands. Subsequently, the Hon'ble the President, on his attention being drawn to it, stated that, under paragraph 128 of the Manual of Business and Procedure he had fixed 15 minutes' time-limit only for speeches made during the general discussion of the budget and not for speeches on budget demands. It is unfortunate that, owing to this misunderstanding on my part, the honourable member for Partabgarh had to discontinue his speech. I am sorry for my misapprehension, and I hasten to assure the honourable members, including the honourable member for Partabgarh, that I had no desire to stifle the debate when I reminded the honourable member of the time-limit.

**Lala Nemi Saran :** I rise to support the motion before the House, and my reason for doing so is, as has been stated by my friend, Mr. Obaid-ur-Rahman Khan, that there are certain complaints regarding the method by which this irrigation revenue is realized from the zamindars.

Last year during the budget debate the attention of the Hon'ble the Finance Member was drawn towards this fact, but he then replied in a very indifferent manner. He put forward two objections. He said, firstly, that the question of the collection of this revenue must be the same as the question of the collection of land revenue, and, as no time was allowed in the matter of the collection of land revenue therefore it was not necessary, nor was it equitable, that any time should be given to the zamindars for the collection of this revenue. Sir, I think land revenue and irrigation revenue are quite different. As regards land revenue, the zamindar is not only an agent, but he has got some rights in the land. He is more intimately connected with the rent and land revenue than he is with the irrigation revenue. As far as irrigation revenue is concerned, he is merely an agent of the Government, or rather of the department. He collects this revenue only for the benefit of the department, for which he gets nine pies per rupee as stated by my honourable friend, Mr. Obaid-ur-Rahman Khan. I think it is necessary and equitable that a certain time-limit should be allowed to the zamindars to collect this revenue after he has received the jamabandi, and after that time only he should be forced to deposit the revenue in the treasury. Ordinarily ninety days are allowed, but it is discarded with the tahsildar. If the Government really wants to

[Lala Nemi Saran.]

ninety days to the zamindars and wants to be equitable towards them, then I think this time-limit should be fixed once for all and it should not be left to the sweet will of the tahsildar. We already know what the relations are between zamindars and tahsildars, specially between tahsildars and zamindars who have got some self-respect in them. Sometimes they are cordial and sometimes they are very strained. We do find, Sir, that this power which is given to the tahsildars is misused and to a certain extent is abused. It is not always that we can bring specific instances of these to the notice of the Government or to the notice of this House but we who live in the villages and who pay irrigation revenue and land revenue know that these tahsildars do discriminate between zamindars and zamindars. In some cases they issue warrants for non-payment of this revenue even after two days, while they will not do so in other cases even for three months. I would, therefore, request the Hon'ble the Finance Member to fix a specific time-limit in the case of this demand as urged by the honourable mover.

The second point taken by the Hon'ble the Finance Member in his reply was that the lambardars to whom this work of collecting revenue is entrusted are the persons who willingly accept this lambardari, and they can, if they like, resign at any time if they cannot collect the revenue, or if they do not wish to stick to that office. But, Sir, as far as I know, the Land Revenue Act does not allow a lambardar to resign his office unless the local authorities permit him to do so, and I know of very many cases in which lambardars are forced to accept that office or at least to acquiesce in that office against their wish and at the pressure of local authorities. I think it is inequitable and putting undue pressure on the zamindars that they should either at once pay the money, or they will be arrested and other processes will be used against them. In these circumstances I think it would be bare justice, and I hope the Hon'ble the Finance Member will give his attention to it that a time-limit of ninety days should be fixed for the payment of this irrigation revenue, and no tahsildar should be allowed to issue warrants or notice to the zamindars before this limit expires.

**Khan Bahadur Maulvi Fasih-ud-din :** The question before us is very simple and does not require any elaborate speech. We all know that canal dues are realized as land revenue from the lambardar or zamindar, and that these lambardars realize in their turn those canal dues as rent. We all know the difference in the procedure of the collection of land revenue and rent. It is, therefore, very clear that the case of the lambardar is rather a hard one. While the collector can catch him by the neck at any time he likes and realize the whole of the canal dues in a particular village or mahal all of a sudden, the zamindar or lambardar has to go to the court and sue the tenants for the arrears of canal dues. That is one of the many hardships that is entailed on the lambardar.

The other point about this matter is that if the zamindar or lambardar is not in a position to realize these canal dues and pay them in within the space of three months he forfeits his claim to these dues altogether. And the third point about this matter is that the allowance that the lambardar gets for making these realizations comes to the glorious figure of nine pies in the rupee.

The Zamindars' Association of Muzaffarnagar has been agitating this question for a very long time, but without any result. It has been asking the Government repeatedly to raise the allowance from nine pies to one anna. But the cry of that Association has proved to be a cry in the wilderness hitherto. These are the points which require very serious consideration of the Council. They are not only sentimental points, but they are matters which affect the position of the lambardars very seriously. Other departments, like income-tax and some other departments which deal with money, realize their own dues, and there is absolutely no reason why zamindars should be asked to realize these dues for the Canal department and that he should be subjected to rules which are different from the rules under which he has to realize his dues. These are matters for the serious consideration of the House, I again repeat.

**Thakur Hukum Singh :**

मैं जनाब मौलवी मुहम्मद उवैदुर्हमान खां साहब के मोशन ( motion ) को ताईद करता हूं और उनकी ताईद में यह अर्ज करना चाहता हूं कि खतौनी आबपाशी जो जमोंदारों और नम्बरदारों के ऊपर तामील के वास्ते भेजी जाती है वह ऐसे वक्त में भेजी जाती है कि जब फसल खड़ी नहीं होती है और वह नम्बरदार लोग काश्तकारों से किसी तरह से रुपया वसूल नहीं कर सकते हैं यह सिर्फ काश्तकारों की मेहरबानी है कि वह अपने आबपाशी के मुतालवा को अदा करते हैं और अगर वह न चाहें तो न अदा करें जिस तरह से नम्बरदारों से लगान वसूल किया जाता है उस तरह से काश्तकारों से नहीं वसूल किया जाता है क्योंकि खतौनी आबपाशी जो नम्बरदारों के पास भेजी जाती है वह उनके पास देर में पहुंचती है और वह किसी हालत में लगान की तरह आबपाशी के मुतालवे को वसूल नहीं कर सकते हैं मैं इस मोशन ( motion ) को ताईद करते हुए जनाब फाइनेंस मेम्बर ( Finance Member ) साहब से दरखास्त करूंगा कि वह इस किस के कायदे को जारी करें कि खतौनी फसल के खड़े रहने के मौके पर पहुंच जाय ताकि नम्बरदारान आबपाशी का मुतालवा काश्तकारों से वसूल कर सकें ।

दूसरी बात यह है कि ज्यादातर ९० फी सदी वाकियात और मामिलात इस तरह के होते हैं कि खतौनी आबपाशी को तामील को ९० दिन खतम नहीं होते हैं वल्कि इससे बहुत पहले एक एक महीना बीस बीस रोज के अन्दर नम्बरदारों के पास हुक्म कुर्की रुपया वसूल करने के लिये पहुंच जाता है और उनसे इस तरह से रुपया वसूल किया जाता है और नम्बरदारान काश्तकारों से रुपया वसूल नहीं कर सकते क्योंकि खतौनी आबपाशी उनके देर में मिलती हैं । क्योंकि खतौनी जो जारी होती है वह चपरासियों को दी जाती हैं और वह उनकी तामील के लिये निकलते हैं वह पन्द्रह पन्द्रह बीस बीस रोज में नम्बरदारों के पास पहुंचते हैं बाज़ औकात नम्बरदार नहीं मिलते और वह उनको वापस ले जाते हैं और फिर लाते हैं इस तरह से तामील के लिये महीना लग जाता है खतौनी उनके पास पहुंचने के पहिले रिपोर्ट ( report ) कलेक्टर ( collector )

[Thakur Hukum Singh.]

साहब की खिदमत में वारंट कुर्की जारी होने के लिये भेजी जाती है और वाज़ अक़ात वारंट कुर्की ठीक उस वक़्त पहुंचता है जबकि खतौनी पहुंचती है और कुर्की अमोन साहब भी कुर्की के लिये पहुंच जाते हैं ऐसे वाक़ियात अक़मर देखने में आये हैं। वह नम्बरदार जो उस तहसील में नहीं रहते हैं दूसरी तहसील या ज़िला में रहते हैं उन के पास खतौनी दूसरी तहसील के ज़रिये भेजी जाती है एक तहसील से दूसरी तहसील को खतौनी भेजने में अर्सा हो जाता है खुनाबे खतौनी ज़्यादा अर्सा में पहुंचती है एक तहसील से दूसरी तहसील को जो खतौनी भेजी जाती है दरहकीक़त उसकी निस्वत क्या किया जाता है? यह कि वह मुतालबा दूसरी तहसील को ट्रांसफ़र (transfer) कर दिया जाता है और दूसरी तहसील के तहसीलदार साहब कलेक़र साहब के पास कुर्की के वास्ते फ़ौरन रिपोर्ट कर देते हैं वह ऐसा नहीं करते कि वह दूसरी तहसील से जब खतौनी आकर तामोन हो जावे तब मुतालबा करें ऐसा हालत में जो दूसरी तहसील के रहने वाले नम्बरदारान हैं उनके पास खतौनी पहुंचने से पहिले रुपया तलब किया जाता है और वारंट कुर्की पहुंच जाता है इस तरह नम्बरदारों को बिला वजह तंग किया जाता है इस लिये मैं यह दरखास्त करूंगा कि दूसरी तहसील में जो नम्बरदार रहते हैं उनके पास खतौनी आबपाशी पहुंचने के बावत खास इन्तज़ाम किए जाने के अहक़ाम सादिर फ़रमाए जावें और तीन महीने की मियाद का जो क़ायदा क़ानून में दिया गया है उसके ऊपर अमल किया जाय और उससे पहले किसी किस की काररवाई, कुर्की, वारंट या दस्तक न भेजी जाय क्योंकि यह इन्साफ़ नहीं है इस लिये मैं यह दरखास्त करूंगा कि इसके बावत काफ़ी हिदायत के साथ अहक़ाम जारी किए जाएं कि नम्बरदारों को बिला वजह की तकलीफ़ न पहुंचे बहुत से नम्बरदार ऐसे होते हैं जिनकी हैसियत इस क़ाबिल नहीं होती है कि वह उस मुतालबा को जो उनसे काश्तकारों के बावत मांगा जाता है अदा करें और जब उन पर ज़्यादा दबाव डाला जाता है तो वह दूसरी जगह से क़र्ज़ लेकर अदा करते हैं और कुछ नम्बरदार इस आबपाशी के मुतालबा के बदले में क़र्ज़ के एवज़ अपना ज़मीन को खो देते हैं या वह बहुत कड़ा सूद अदा करते हैं और इस तरह बहुत तकलीफ़ में रहते हैं इस लिये मैं दरखास्त करूंगा कि Government इस बात पर तवज़ह फ़र्माए और ग़रीब नम्बरदारों से इस तरह के बेजा वसूल किए जाने के तरीक़े को रोकें और बेजा ज़्यादती के दूर करने की कोशिश करें इस लिये मैं इस मोशन (motion) की बड़े ज़ोर से ताईद करता हूं।

**Babu Shyam Lal:** I beg to associate myself with the remarks made by the honourable members who have preceded me. I want to take very little time of the honourable members, and I shall not cover the arguments which have already been repeated. I would only draw attention to the one fact that an analogy between land revenue and canal dues is not sound. They are demands of different natures; but even if for argument's sake we accept that they are analogous, I think every zamindar gets a certain number of days before land revenue falls due to realize

rents from his tenants. Say that land revenue falls due on the 1st January the zamindar gets a certain number of days preceding this date to realize rents. Even if for argument's sake we consider the demands analogous, some time should be allowed to the zamindars to realize canal dues from the tenantry. If my memory does not fail me, the answer given by the Government in the last Council was that no sooner *jamabandi* is delivered the amount becomes payable. That position is quite illogical. If time is allowed in the case of realizing rent, why not in the case of these canal dues? And because these *jamabandis* are served at the fag end of every agricultural season I think full three months should be allowed to the zamindar to realize canal dues before they become due and payable to Government.

**Pandit Shri Sadayatan Pande:** I do not want to take much time of the council, because a good deal has been said on the matter; but I want to draw the attention of the Government to the method in which the canal revenue collecting staff has been dealing with the persons who have got to pay the canal dues. It has been clearly described that the lambardars are induced to pay canal dues and are required to realize them from the tenants. Well, Sir, as an assistant collector I have much experience of the difficulty of realizing canal dues which have been falling in arrears. I have had thousands of canal arrears cases before me and I know the difficulties. Well, it is only reasonable that the Government should modify the rules with regard to the realization of the canal dues. I would like to suggest that the lambardars should be exempted from this onerous duty and Government should make quite separate arrangements for the collection of canal dues. Further, I beg to remark that the canal staff, whether it is in consonance with the rules or not, they have been including larger areas of fields for payment for irrigation whether they have actually been irrigated or not. For example, two bighas of land were actually irrigated, and it so happens that there are other plots belonging to the same man adjoining the two bighas, and the zilla ar writes down the total area instead of those plots actually irrigated and the poor tenant has to pay double, treble, or any amount of money which he should not, as a matter of fact, be required to pay. I should like to hear from the Chief Engineer whether there is any rule and whether there is the proper method by which these patwars and zilladars prepare their *jamabandis*. I would particularly draw the attention of the Government to make proper modifications and proper provisions with regard to these rules and alleviate the sufferings of the poor tenants. The *kuari* paddy is not irrigated by canal water because the crop matures some time by the end of the rainy season. Consequently no canal water is required, but the Canal department charges for irrigation of this crop also. I do not know how far this is desirable. Another point, which in this connexion, I would like to mention as a passing remark is that the slips are prepared in Urdu, which is quite unintelligible to the illiterate class, and in villages where there are people who are a bit educated they know something of Hindi but not Urdu. So in order to facilitate I would further suggest that these slips should be printed in Hindi, and they should be prepared in Hindi, so that the person concerned might be able to read what he is required to pay and for what he has been charged and for which plot he has been charged. I have been asked by my constituency to lay before the Council that the existing canal rates are high, and that a

[Mr. H. A. Lane.]

curtailment in the present rates should be made. I would urge that full consideration be given to this request of the poor tenantry and a reduction be made in the rates as far as possible.

**Rao Krishna Pal Singh :** I wish to say a few words in support of Maulvi Muhammad Obaid-ur-Rahman Sahib's motion. The method employed in the collection of canal dues does not only cause inconvenience to the zamindar, but it does, in most cases, mean actual loss. I do not know of any instance in which the whole amount of the canal dues is collected by a zamindar. In most cases he is not able to collect the whole amount. Though under the provisions of the Canal Act the loss can be realized by making an application to the department it is very difficult for the zamindar to give enough proof in regard to the small amounts which are not realized by him. Therefore, most of the zamindars always lose a certain amount in the collection of dues, and the compensation which is given to them is too meagre to make up for the loss which they suffer. There is a little difference between land revenue and canal dues. A zamindar may not mind losing a little money in the collection of land revenue, because he owns the land and he has to pay a certain amount of tax to the State. If he loses any over this he does not feel it to the same extent as he does the loss which he suffers in respect of canal dues, for the collection of which he is employed only as an agent. I, therefore, suggest that the commission which is allowed to the landlord may be increased in future.

**The Deputy President (to Thakur Manjit Singh):** Does the honourable member wish to move his motion?

**Thakur Manjit Singh Rathor :** No, Sir. The motion of which I gave notice relates to a token motion for the omission of the entire item. But since Maulvi Muhammad Obaid-ur-Rahman Khan Sahib has already moved before the House a motion for reducing the item by Rs. 100 I shall content myself by giving my support to the motion.

The points which I want to put before this House are in connexion with the increase in the irrigation rates. Honourable members are aware . . . . .

**The Hon'ble Sir Sam O'Donnell :** On a point of order, we are discussing the collection of revenue and not the question of rates.

**The Deputy President :** Yes, the collection of revenue is under discussion.

**Thakur Manjit Singh Rathor :** Then I will not speak about the subject of irrigation rates now. I will only speak now in connexion with the question of the collection of the rates. All that I want to say now is that it is highly undesirable that the Abpashi slips, i.e., papers printed by the Irrigation department requiring the people to pay irrigation rates should be only in Urdu. They should be printed not only in Urdu, but in Hindi, because there are certain districts in these provinces where the Urdu character is not much understood, and the people of those parts are put to great hardship on that account. The district from which I come is one of such districts. There Urdu is not understood, and the villagers are put to a great deal of difficulty.

It is, therefore, desirable that, in future the practice of printing these slips in both the languages should be followed.

**Mr. H. A. Lane :** This question of the liability of the lambardar for canal dues and the process which may be used against him for their recovery was discussed last year during the budget debate, and I think honourable members understand the technical position. It is quite clear that, technically, land revenue and canal dues are on the same footing. Both fall due on specified dates, and on the day following that date the demand becomes an arrear and it is, therefore, liable to be collected by the processes mentioned in the Land Revenue Act. There is this difference that in the case of canal dues the lambardar is entitled to receive certain fees from the Government. In the case of land revenue he is entitled to no fees. The fees he receives for realizing canal dues he is entitled to if he pays in the whole of the demand within ninety days of the specified date. There is, I think, a certain feeling that this ninety days ought to be the period within which he is not liable to any coercive process. That is not, technically speaking, correct. Honourable members who have spoken have, however, specified two or three points in which they consider there should be a distinction drawn between land revenue and canal dues in this respect. Lala Nemi Saran has stated that the lambardar is in a different position in the case of land revenue and in the case of canal dues because in the case of land revenue he is the proprietor of the land whereas in the case of canal dues he is not. This, I do not think, is a correct statement. Both land revenue and canal dues are realized from an individual in his capacity as lambardar and not in his capacity as *zamindar*. It is not incumbent or necessary for anyone to take up the post of lambardar. Applications are made for the post, and there are no indications whatever that in certain districts landlords are reluctant to come forward for selection and appointment as lambardars. It is stated that there is considerable hardship in the selection, and that lambardars are thoroughly dissatisfied. Well, Sir, experience shows that the lambardari system is flourishing in one-half of the province, whereas in other parts of the province it is more or less dying out. And it is a remarkable fact that the part of the United Provinces in which the lambardari system is particularly flourishing is the western part of the province, that is to say, the canal-irrigated part. It is in the eastern part of the province where there is no canal irrigation that the system has practically broken down, and it is difficult to induce landholders to come forward to be appointed as lambardars. There we have what is known as the *bachbandi* system. But it is a remarkable thing that it is just in the canal-irrigated part of the province that the lambardari system is most flourishing and that is an indication that the grievances of the lambardars in this respect are not quite as real as some honourable members would have us believe. The second suggestion made by Lala Nemi Saran was that the specified date after which the canal dues became realizable from the lambardar should be kept, but an interval should be prescribed within which no processes should be issued. Well, Sir, the effect of this would be, as I see it, simply to put back by a certain time the date on which the dues will become recoverable. If you preserve the original date and say nothing shall be collected fifteen or thirty days the effect is that you put back the date

[Mr. H. A. Lane]

the dues become payable by fifteen or thirty days; so that does not seem a very practical suggestion.

Babu Shyam Lal raised another point in which he alleged that the lambardar was in a different position in the matter of the realization of land revenue from what he was in the matter of canal dues. He stated that land revenue was distinguished by the fact that it does not become due for a certain number of days after the rents become due, whereas in the case of the canal dues the amount becomes payable the very date the lambardar receives the *jamabandi*. Well, Sir, I think it must be admitted that there is force in this contention. It is true that the interval between the date on which rent becomes due and revenue becomes due is not very large. Speaking from memory, I believe it is fifteen days in the case of an occupancy tenant and thirty days in the case of a non-occupancy tenant. But still there is an interval, and the lambardar does get an opportunity of collecting, at any rate, some of his rents before he is called upon to pay his land revenue. In the case of the canal dues, on the other hand, until the lambardar receives the *jamabandi* he is not in a position to commence any realization from his tenants. It, therefore, does appear reasonable that in the case of canal dues a date should be fixed, say, fifteen days after the lambardar receives the *jamabandi* and before which he should not be liable to pay the dues at all. In other words, canal dues should become realizable from the lambardar, say, fifteen days after he receives the *jamabandi*. This, Sir, I think is a reasonable suggestion, and the Hon'ble the Finance Member authorizes me to say that the Government are prepared to consider it. It will be a question of fixing the suitable interval, and that will, of course, want examination.

As regards the point raised by Khan Bahadur Maulvi Fasih ud-din that the Muzaffarnagar lambardars have been clamouring for a long time for an increase in their fees I would like to remind the Council that it was only as recently as 1921 that the fees which the lambardars are entitled to get were raised by no less than 50 per cent. Prices are easier now than they were in 1921, and what was considered fair then may, I think, reasonably be considered as even fairer now. Muzaffarnagar certainly is not a district where there is any difficulty in getting zamindars to come forward to take up the work of lambardar. I know the district fairly well, and I have had in the settlement many occasions to deal with the lambardars in that district. There was certainly no reluctance on the part of zamindars to come forward for the posts of lambardars. In the circumstances I trust the honourable member will not press his motion.

*During the above speech the Hon'ble the President resumed the Chair.*

**Shaikh Muhammad Habibullah:** I had no intention of speaking on this motion until I heard the speech of Mr. Lane on behalf of the Government. He has said that the lambardar under the Canal Act occupies the same position as the lambardar under the Land Revenue Act. This, I submit, is not the case. Under the Land Revenue Act a lambardar is responsible to pay Government revenue, and he is given a specified period within which to make the payment. Under the Canal Law, on the other hand, the lambardar has to depend on the sweet will of the



canal officer. He has got to receive the *jamabandi* to make the payment the day the *jamabandi* is delivered to him. He is allowed no time within which to make the payment. The rule is that the lambardar will get 10 per cent. so long as he can realize the dues within ninety days. Now the poor lambardars think that these ninety days are the period within which they can conveniently realize the dues, but they do not realize that ninety days are meant as a qualification for their getting 10 per cent. On the other hand, as soon as a lambardar receives the *jamabandi* the tahsildar sends his demand. It may be even within ten days, with an order that he would distrain the property if the dues are not paid. I am glad that the honourable members have brought this point to the notice of the House. Certainly there must be a fixed time. Just as rent falls due on a certain date, the *jamabandis* must be given on a certain fixed date to the lambardar.

**Rai Bahadur Thakur Hanuman Singh:** I have heard with great attention the reply of Mr. Lane. I think he presumes that all the lambardars who have to collect canal dues are moneyed men, and so within a period of fifteen days from the receipt of *jamabandi* they can well afford to pay the canal dues to the Government and after that they may realize them from their tenants. I would like to say that out of a hundred lambardars not even 20 per cent. are very solvent people. Whenever they are hard pressed for the dues they have to go to the money-lenders and pay interest on such sums which they borrow. In such circumstances it is fair that the Government should allow the lambardars 90 days' time for the collection of the dues, and after that the tahsildars may issue coercive processes against the defaulters.

The Government has got tahsildars, naib-tahsildars, qanungos, and a number of peons. All these officers continue to demand land revenue from the zamindars throughout the year, and even then a certain amount of revenue remains uncollected at the close of the revenue year. Then the tahsildars and other revenue officers have got very large powers to press defaulters to pay the land revenue by attachment or sale of their landed property by sale or attachment of moveable property and so on. The poor lambardar has got no such power. He has to pay to the Government first and then realize the canal dues from the persons from whom they may be due, and in case of failure he has to go to a rent court to claim the arrears. Mr. Lane has said that the land revenue and the canal dues stand on nearly the same footing. For the collection of revenue the zamindar gets in the case of occupancy tenants 21 days' time and in the case of non-occupancy tenants 30 days' time. This is correct; but the zamindars know their *jamabandi* and they begin to collect dues long before they fall due. They collect a sufficient amount of revenue by the time the demand is due, and for their own expenses they continue to collect gradually, but the case of canal dues is not the same. I think if the Government will give lambardars 90 days' time it will be relieving the poor lambardars from a good many difficulties from which they suffer under the present rules and regulations.

**Mr. B. D'O. Darley:** Two points have been raised in this connexion. One honourable member has asked if it is right that we should charge irrigation rates for land which has not received water from the canal.

[Mr. B. D'O. Darley.]

I emphatically say that it is not right. I do not know of any case where this has been done. I think that the honourable member is referring to the *chakbandi* system under which rice is always assessed. Rice is grown in depressions, it is not irrigated like other crops by guls which run from field to field. The whole depression is under water, partly canal and partly rain-water, so the whole depression must be assessed with canal rates. It is utterly impossible to devise any other system by which we could assess revenue for this crop.

The other point is about the assessing of rates on the *khassa* crop in some of the eastern districts, for instance Mirzapur. There the transplanted rice is cut very late in November after the rabi crop is sown. The cultivators have now got into the habit of sowing the *khassa* crop before the rice crop is cut and giving the canal water to the field not for the sake of rice but for the sake of this *khassa* crop. It is perfectly fair to assess water rate for this rabi crop.

The next point is about the writing up of *jamabandis* in Hindi. That has our entire sympathy, and indeed for the last few years we have been endeavouring to meet the demand for Hindi-knowing patrols. It will take some time to change the Urdu-knowing patrols in Bundelkhand and such districts where Hindi is spoken. This matter is engaging our attention.

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I have received no reply to my second point. I hope the Hon'ble the Finance Member will speak.

**The Hon'ble Sir Sam O'Donnell :** I take it that the honourable member refers to what are known as silt traps. The practice of the department is, in some cases at any rate, to lease these silt traps out, and in so doing they endeavour to obtain the best terms possible. It is open to landlords or to anybody else to take the lease. I understood the honourable member to say that the subordinate staff some times endeavours to create an impression that there are people anxious to get the land in the hope of extracting a higher sum from the landlord. If so, I will inquire about that. If he means to say that the staff really put up fictitious bidders, then of course that is an illegitimate practice. If, on the other hand, the sales are effected, in the way in which the excise sales used to be when I was a young magistrate, i. e. by starting the sale with a '*sarkari boli*' of one lakh (usually followed by an offer of Rs. 10) then I think no harm is done. But if there are any real irregularities in the sale proceedings then of course that is a legitimate ground for complaint and we will take what steps we can to stop them.

**The Hon'ble the President :** What is the issue before the House ?

**Maulvi Muhammad Obaid-ur-Rahman Khan :** My point is this, that there should be specific time given to the lambardar for sending money to the Government treasury, after receiving the *jamabandi* and some date must be fixed so that by that date the *jamabandi* must be served on the lambardar. Then a reasonable time must be given to him to send the canal rates to the Government treasury. These are my points.

**The Hon'ble Sir Sam O'Donnell :** We will consider whether fifteen days should be allowed to the lambardar from the date of the receipt of the *jamabandi*.

**Maulvi Muhammad Obaid ur-Rahman Khan :** My first point is that a date should be fixed by which the *jamabandi* must be served on the lambardar. The second point is that, after receiving that *jamabandi* he may be given a definite time before which he should not be forced to pay the canal dues.

**The Hon'ble the President :** The issue being what the mover has stated the motion will be put now.

*The motion was put and adopted.*

*The Hon'ble the President then adjourned the Council to the following day.*

## APPENDIX A.

*(See page 519 supra.)**Statement.*

	<i>1924.</i>	<i>1925.</i>	<i>1926.</i>
Honcrary magistrates	... 1,216	1,144	1,198
Honorary munsifs	... 135	142	148

## APPENDIX B.

(See page 533 *supra*.)*Statement referred to in answer to starred question No. 16 for the meeting of March 22, 1927.*

Year.	Name of person or company to whom the Government have made an advance.	Amount of the advance.	Conditions under which the advance was made.	Security on which the advance was made.	Purpose for which the advance was made.	Amount recovered.	Amount outstanding.	Remarks.
1924-25	Allahabad Law Journal Company, Limited, Allahabad.	Rs. 22,000	(i) interest at 7 per cent, per annum ;  (ii) loan and interest repayable in five annual instalments, the first being payable one year after the date on which the loan is actually advanced ;  (iii) in case of default penal interest at 9 per cent. ;  (iv) company to pay stamp duty leviable.	(i) existing machinery and buildings, furniture, stock in trade and new machines to be purchased out of the loan ;  (ii) two Directors gave personal security for the repayment of the loan with interest to cover the period prior to the arrival of the new machines and their hypothecation to Government.	For the purchase of type casting machinery for the Hindustani type foundry.	Rs. 1,540 (interest) paid in November, 1926.	Rs. 22,000	On a representation from the company the Government have decided to postpone payment of principal for two years, but the entire loan is to be repaid within five years of the date of actual advance.

## APPENDIX B—(concluded).

Year.	Name of person or company to whom the Government have made an advance.	Amount of the advance.	Conditions under which the advance was made.	Security on which the advance was made.	Purpose for which the advance was made.	Amount recovered.	Amount outstanding.	Remarks.
1924-25	Shri Maha Lakshmi Sugar Corporation, Lucknow.	Rs. 1,20,000	(i) interest at 7 per cent. per annum; (ii) loan and interest originally repayable in two instalments in November, 1925 and 1926. Now repayable in four instalments in July, 1926 and May, 1927, 1928 and 1929.	Agricultural machinery worth about a lakh. Personal bond given by Sardar Jogendra Singh in order to cover the period prior to the hypothecation to the Government of the new machinery and the workshops.	For the purchase of sugar machinery ordered from abroad.	Principal Rs. 17,365-7-8, interest Rs. 12,634-8-4.	Rs. a. p. 1,02,634 8 4	The company defaulted in payment of first instalment. Government extended the date of first payment to July, 1926, and fixed May 15, in the years 1927, 1928 and 1929 as the dates of subsequent annual payments.
1925-26	Mr. Bhagwat Prasad Srivastava of the Basti district.	2,000	(i) interest at 7 per cent. per annum; (ii) loan and interest repayable in five annual instalments; (iii) borrower to pay the stamp duty.	Landed property worth the amount of the loan.	For preparing metal working model of an automatic spinning machine invented by him.	..	2,000 0 0	First instalment is repayable on April 1, 1927.

1925-26	Mr. Radha Krishna Bhargava of Muttra.	5,000	(i) interest at 7 per cent. per annum; (ii) in case of default penal interest at 8 per cent.; (iii) principal and interest repayable in five annual instalments in a period of six years, the first being due after two years from the date of the advance.	A house in Sitapur worth Rs. 20,000, which is insured by the borrower for that amount.	To start a match factory.	..	5,000 0 0	First instalment is payable on February 17, 1928.
1925-26	Indian Bobbin Company Limited, Cawnpore.	80,000	(i) interest 6½ per cent. per annum. (ii) repayable within four years from the date of the advance.	Debentures of the company.	To finance their stock.	..	80,000 0 0	

## APPENDIX C.

(See page 526 supra.)

*Statement giving minimum standard prescribed for expenditure on Islamia schools and maktabs in rural areas during 1925-26 and 1926-27.*

District.	Minimum standard pre- scribed for Islamia schools and maktabs during 1925-26 and 1926-27.	District.	Minimum standard pre- scribed for Islamia schools and maktabs during 1925-26 and 1926-27.
1	2	1	2
	Rs.		Rs.
Dehra Dun .. ..	1,010	Benares .. ..	8,900
Saharanpur .. ..	10,930	Mirzapur .. ..	3,700
Muzaffargarh .. ..	9,000	Jaunpur .. ..	22,530
Meerut .. ..	13,950	Ghazipur .. ..	9,900
Bulandshahr .. ..	6,520	Ballia .. ..	15,970
Total .. ..	41,410	Total .. ..	61,000
Aligarh .. ..	5,500	Gorakhpur .. ..	17,020
Muttra .. ..	2,500	Basti .. ..	12,690
Agra .. ..	3,230	Azamgarh .. ..	17,350
Mainpuri .. ..	5,120		
Etah .. ..	2,400	Total .. ..	47,060
Total .. ..	18,750		
Bareilly .. ..	8,820	Naini Tal .. ..	2,360
Bijnor .. ..	10,420	Almora .. ..	1,800
Budaun .. ..	8,400	Garhwal .. ..	700
Moradabad .. ..	11,100	Total .. ..	4,860
Shahjahanpur .. ..	13,120		
Pilibhit .. ..	2,700	Lucknow .. ..	6,410
Total .. ..	54,560	Unao .. ..	3,500
Farrukhabad .. ..	8,400	Rae Bareilly .. ..	4,720
Etawah .. ..	2,800	Sitapur .. ..	5,340
More .. ..	4,220	Hardoi .. ..	8,200
.. ..	6,500	Kheri .. ..	3,700
.. ..	6,720	Total .. ..	31,870
.. ..	28,640	Fyzabad .. ..	5,800
Jalaun .. ..	2,000	Gonda .. ..	7,400
Hamirpur .. ..	3,840	Babraich .. ..	10,830
Banda .. ..	4,460	Sultanpur .. ..	9,530
Total .. ..	4,410	Partabgarh .. ..	4,540
		Bira Banki .. ..	7,060
Total .. ..	14,710	Total .. ..	45,160
		GRAND TOTAL .. ..	3,48,020



## APPENDIX D.

(See page 536 *supra*.)

- (1) Babu Manna Lal, B.A., LL.B.
  - (2) Lala Prag Das : Has passed the Entrance examination.
  - (3) Munshi Ghulam Husain Khan
  - (4) Khan Bahadur Saiyid Aulad  
Husain Khan.
- } Have passed no examinations,  
but both of them know Urdu,  
and No. 4 has also a fair  
knowledge of English.

## APPENDIX E.

(See page 536 *supra*.)

*Copy of order No. 8, dated December 8, 1924, in the order book of the Deputy Commissioner's office, Bahraich, referred to in the answer given to starred question No. 76 (b).*

As the delay in disposal of criminal cases in the court of Sardar Autar Singh, honorary magistrate, has always been the subject of adverse criticism by my predecessor as well as the higher authorities and in view of his absence from Bahraich owing to his brother's illness, no criminal cases should be sent to him till further orders. He should however dispose of such cases as may be pending in his court as quickly as possible.

## APPENDIX F.

(See page 537 *supra*.)

*Statement showing the number of hearings in the eighteen cases pending over six weeks in 1925.*

Date of institution or transfer.	Number of hearings before the date of appearance of the accused.	Date of appearance of all the accused.	Number of hearings after the date of appearance of the accused.	Date of decision.
1-8-1924 ..	3	10-10-1924 ..	9	5-3-1925
3-9-1924 ..	3	26-11-1924 ..	7	7-3-1925
5-9-1924 ..	3	26-11-1924 ..	6	4-3-1925
16-9-1924 ..	1	23-10-1924 ..	8	6-3-1925
18-9-1924 ..	3	26-11-1924 ..	6	6-3-1925
5-10-1924 ..	2	26-11-1924 ..	7	4-3-1925
7-10-1924 ..	2	26-11-1924 ..	7	4-3-1925
*19-5-1925 8-7-1925 ..	7	15-9-1925 ..	8	29-12-1925
8-7-1925 ..	1	23-7-1925 ..	6	2-10-1925
*6-5-1925 27-7-1925 ..	2	30-5-1924 ..	5	16-9-1925
14-8-1925 ..	7	24-10-1925 ..	3	31-12-1925
24-8-1925 ..	3	2-10-1925 ..	9	29-12-1925
24-8-1925 ..	1	16-9-1925 ..	8	30-12-1925
26-8-1925 ..	2	2-10-1925 ..	8	30-12-1925
16-9-1925 ..	2	14-10-1925 ..	6	30-12-1925
18-9-1925 ..	1	2-10-1925 ..	7	31-12-1925
18-9-1925 ..	2	14-10-1925 ..	8	30-12-1925
26-9-1925 ..	4	24-10-1925 ..	5	31-12-1925

\* This is the date of institution in the court of the sub-divisional magistrate. The date below the line is the date of its arrival in the court of the honorary magistrate.

*Statement showing the number of hearings in the twelve cases pending over six weeks in 1926.*

Date of institution or transfer.	Number of hearings before the date of appearance of the accused.	Date of appearance of the accused.	Number of hearings after the date of appearance of the accused.	Date of decision.
30-10-1925 ..	4	7-12-1925 ..	4	24-3-1926
12-11-1925 ..	4	6-2-1926 ..	5	23-3-1926
13-12-1925 ..	5	6-2-1926 ..	6	21-4-1926
22-12-1925 ..	2	4-2-1926 ..	9	31-5-1926
20-1-1926 ..	1	25-1-1926 ..	8	20-4-1926
21-1-1926 ..	..	21-1-1926 ..	9	20-4-1926
12-2-1926 ..	2	13-3-1926 ..	7	24-6-1926
3-3-1926 ..	4	5-5-1926 ..	7	30-9-1926
12-3-1926 ..	7	24-6-1926 ..	3	18-8-1926
30-5-1926 ..	..	30-5-1926 ..	7	16-8-1926
16-8-1926 ..	..	16-8-1926 ..	12	12-12-1926
9-11-1926 ..	..	9-11-1926 ..	4	30-12-1926

## APPENDIX G.

(See page 589 *supra*.)

*Copy of notification No. 2644-M, dated September 5, 1924, Public Works department, Buildings and Roads branch.*

IN continuation of this department notification No. 739M.C, dated June 26, 1924, published on page 844 of Part I of the *United Provinces Gazette*, dated June 28, 1924, it is hereby notified that the Government of the United Provinces, in exercise of the powers conferred by section 29 of the Indian Boilers Act, 1923, have made the following additional rules to the United Provinces Boiler Inspection Rules, 1924 :—

*Additional rules to the United Provinces Boiler Inspection Rules, 1924.*

Add the following rules :—

*Rule 5(i).*—The Chief Inspector shall be required to possess either  
 Qualifications of the Chief Inspector. (a) a diploma of A. M. I. M. E., or an extra Board of Trade certificate and shall have had fifteen years' experience in the management, repairs or inspection of boilers, or (b) a first class Board of Trade certificate with the same practical experience as in (a).

*Rule 11(i).*—An Inspector shall be required to possess one of the following certificates :—  
 Qualifications of Inspectors.

(a) A first class Board of Trade certificate

or

(b) A first class certificate of Engineering in India.

In addition to either of the above certificates he shall have had not less than ten years' experience in the management, repairs or inspection of boilers.

## APPENDIX H.

(See page 541 *supra*.)

*Copy of G. O. No. 2267/XV—388, dated September 26, 1922, from the Secretary to Government, United Provinces, Education department, to the Director of Public Instruction, United Provinces.*

WITH reference to your letter No. F-1745/X—25, dated August 4, 1922, I am directed to say that the Governor, acting with his Ministers, has been pleased to allow you to occupy bungalow No. 29, Canning Road, Allahabad, attached to the Training College, Allahabad, on the following conditions :—

- (1) That you pay rent for the bungalow for twelve months in the year at the rate assessed by the Public Works department as well as its rates and taxes and maintain the garden at your own expense ;
- (2) that it is clearly understood that this concession is allowed to you personally and that the bungalow is not to be set apart as the official residence of the Director of Public Instruction, as Government do not undertake to provide quarters for that officer ; and
- (3) that if and when the bungalow is required for the members of the staff of the Training College or the Intermediate College, Allahabad, you will be required after proper notice, to vacate it.

*Copy of G. O. No. F.65/XV—765, dated February 7, 1925, from the Secretary to Government, United Provinces, Education department, to the Director of Public Instruction, United Provinces.*

IN modification of G. O. No. 2267/XV—388, dated September 26, 1922, I am directed to say that Government have been pleased to direct that bungalow No. 39, Canning Road, Allahabad, attached to the Training College, Allahabad, shall be regarded as the official residence of the Deputy Secretary to Government, Education department, so long as the building is not required for the Training College, and that the Deputy Secretary to Government, Education department, shall pay rent for the bungalow only for the period of actual occupation.

## APPENDIX I,

(See page 542 *supra*.)*Farm Committee.*

		1922.	1923.	1924.	1925.	1926.	Total.
Bohilkhand circle	Shahjahanpur ..	..	..	..	1	1	2
	Nawabganj ..	..	..	..	..	..	..
Eastern circle ..	Partabgarh ..	..	..	1	5	3	9
	Fyzabad ..	..	..	1	2	2	5
	Benares ..	..	..	..	3	4	7
Western circle ..	Muzaffarnagar ..	4	1	2	4	..	11
	Bulandshahr ..	..	1	..	..	..	1
	Agra ..	..	..	..	..	..	..
	Muttra ..	..	1	..	..	..	1
	Aligarh ..	..	..	..	..	..	..
Central circle ..	Cawnpore (Kalyanpur) ..	..	1	1	2	..	4
	Etawah ..	..	2	2	1	..	5
	Mainpuri ..	..	1	2	2	..	5
	Atara ..	..	1	2	2	..	5
	Belatal ..	..	..	2	2	..	4
North-Eastern circle.	Gorakhpur ..	..	1	3	3	..	7
	Bahraich ..	..	1	3	1	..	5
	Total ..	4	10	19	28	10	71

## APPENDIX J.

(See page 542 *supra*.)*Garden Committees.*

		1922-23.	1923-24.
Saharanpur	...	3	...
Lucknow..	...	1	1
Allahabad	...	3	1
Agra ...	...	2	...
Dehra Dun	...	...	1
Chaubattia and Kumaun	...	1	...
	Total	10	3

## APPENDIX K.

(See page 543 *supra*.)

*List referred to in the answer to starred question No. 104 for the meeting of March 22, 1927.*

*Advisory committee.**Chairman.*

- |   |  |
|---|--|
| 1. Technological Institute, Cawnpore.                           | Mr. A. H. Mackenzie, Director of Public Instruction.                       |
| 2. Government School of Dyeing and Printing, Cawnpore.          | Principal, Technological Institute ( <i>ex officio</i> ).                  |
| 3. Industrial school, Nagina ..                                 | Collector (Government will reconsider the appointment after a year or so). |
| 4. Central Wood Working Institute, Bareilly.                    | Mr. Weir, Inspector of schools.  |
| 5. Government Carpentry school, Allahabad.                      | Director of Public Instruction ( <i>ex officio</i> ).                      |
| 6. Government Brassware school, Benares.                        | Collector ( <i>ex officio</i> )  |
| 7. Government Carpentry school, Fyzabad.                        | Deputy Commissioner ( <i>ex officio</i> ).                                 |
| 8. Government Carpentry school, Naini Tal.                      | Mr. F. Canning, Conservator of Forests.                                    |
| 9. Model Weaving school, Almora                                 | Deputy Commissioner ( <i>ex officio</i> ).                                 |
| 10. Government Weaving and Cotton Printing school, Bulandshahr. | Collector ( <i>ex officio</i> ).   |
| 11. Model Weaving school, Shah-jahanpur.                        | District officer ( <i>ex officio</i> ).                                    |
| 12. Model Weavings school, Sandila                              | Ditto.   |
| 13. Ditto Saharanpur  | Ditto.   |
| 14. Ditto Mau   | District officer ( <i>ex officio</i> ) or his nominee.                     |
| 15. Ditto Najibabad   | Ditto.   |

## APPENDIX L.

(See page 547 *supra*.)

[REFERRED TO IN ANSWER TO STARRED QUESTION NO. 125 (2)  
FOR MARCH 22, 1927.]

*Statement showing the dates on which the pay of pound-keepers  
was sent from the district board's office.*

Serial number	Name of month.	Date of payment.
1	July, 1926 ..	7th September, 1926.
2	August, 1926 ..	8th October, 1926.
3	September, 1926 ..	18th October, 1926.
4	October, 1926 ..	14th December, 1926.
5	November, 1926 ..	13th January, 1927.
6	December, 1926 ..	13th January, 1927.

*Statement showing the dates on which the pay of the teachers  
was sent from the district board, Jhansi.*

Serial number.	Kind of school.	July, 1926.	August, 1926.	September, 1926.	October, 1926.	November, 1926.	December, 1926
1	Training class ..	15-9-'26	27-9-'26	14-10-'26	12-11-'26	6-1-'27	21-1-'27
2	Middle schools	15-9-'26	7-10-'26	14-10-'26	1-12-'26	19-1-'17	19-1-'27
3	Primary schools	15-9-'26	12-10-'26	20-10-'23	1-12-'26	29-1-'27	29-1-'27
4	Islamia schools	15-9-'26	19-9-'26	7-10-'26	15-11-'26	17-12-'26	19-1-'27
5	Girls' schools ..	20-8-'26	28-9-'26	23-10-'26	15-11-'26	17-12-'26	19-1-'27
6	Depressed classes schools.	15-9-'26	29-9-'26	20-10-'26	13-11-'26	17-1-'27	17-1-'27



## APPENDIX M.

(See page 550 *supra*.)

*Statement showing the number and grades of Hindu and Muslim police officers of and above the rank of head constable posted to the Cawnpore district.*

					Hindus.	Muslims.
(i)	Deputy superintendent of police	...	...	...	...	3
(ii)	Inspectors—					
	I grade	...	...	...	...	...
	II „	...	...	...	...	2
	III „	...	...	...	1	1
(iii)	Sub-Inspectors—					
	Selection grade	...	...	...	...	1
	I grade	...	...	...	4	...
	II „	...	...	...	4	5
	III „	...	...	...	9	9
	IV „	...	...	...	11	14
(iv)	Head constables—					
	I grade	...	...	...	5	16
	II „	...	...	...	14	16
	III „	...	...	...	10	30
	Total	...	...	...	58	97

## APPENDIX N.

(See page 552 *supra*.)*Statement.*

					Rs.	a.	p.
1923-24	...	...	...	...	1,253	3	0
1924-25	...	...	...	...	586	8	6
1926-27	...	...	...	...	1,774	2	0



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Wednesday, March 23, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT:

(73).

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Hussain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chandhri Mangat Singh.  
Chandhri Vijai Pal Singh.  
Chandhri Dharamvir Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chandhri Badan Singh.

Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Haji Abdul Qayum.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Mr. E. M. Souter.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## METALLED ROADS UNDER THE PUBLIC WORKS DEPARTMENT.

\* 1. **Mr. E. M. Souter** : Will the Government be pleased to give the mileage of the metalled roads under the control of the Public Works department in the following districts :—

Cawnpore,

Allahabad,

Agra ?

**The Hon'ble Nawab Muhammad Yusuf** :

Cawnpore ... 163 miles 3 furlongs.

Allahabad ... 129 miles 1 furlong.

Agra ... 124 miles 4 furlongs.

\* 2. **Mr. E. M. Souter** : Will the Government be pleased to state the amounts spent during the last financial year on the construction and upkeep of metalled roads in the districts of Cawnpore, Allahabad and Agra ?

**The Hon'ble Nawab Muhammad Yusuf** : A statement is placed on the honourable member's table.

(See Appendix A, page 698.)

AMOUNTS OF LAND REVENUE, INCOME-TAX AND SUPER-TAX  
REALIZED IN CAWNPORE, ALLAHABAD AND AGRA.

\* 3. **Mr. E. M. Souter** : Will the Government be pleased to give the following figures for the last financial year :—

(a) The amounts of land revenue realized in each of the districts of Cawnpore, Allahabad and Agra.

(b) The amounts of income-tax and super-tax realized in each of the above-mentioned three districts ?

**The Hon'ble Sir Sam O'Donnell** : (a) Land revenue realized in the district of—

					Rs.
Cawnpore	...	...	...	...	20,04,572
Allahabad	...	...	...	...	24,69,937
Agra	...	...	...	...	17,48,757

(b) The question relates to a central subject. This Government cannot furnish the required information.

ROADS IN CAWNPORE.

\* 4. **Mr. E. M. Souter** : Will the Government be pleased to say whether they propose taking any special steps to improve the condition of the roads in the Cawnpore district ?

**The Hon'ble Nawab Muhammad Yusuf** : Special steps are being taken to improve the condition of the roads in the Cawnpore district which are subject to heavy traffic.

GOVERNMENT RESIDENTIAL BUILDINGS.

\* 5. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state—

- (1) the capital outlay on Government residential buildings for which capital and revenue accounts are kept for the year 1925-26 ;
- (2) the revenue receipts derived therefrom ;
- (3) the revenue charges and interest thereupon ; and
- (4) the net deficit in the year 1925-26 ?

**The Hon'ble Nawab Muhammad Yusuf :**

- (1) Rs. 19,47,744.
- (2) Rs. 53,071.
- (3) Rs. 1,23,953.
- (4) Rs. 70,882.

\* 6. **Dr. Shafa'at Ahmad Khan** : Is it a fact that the Government sustained a net loss of Rs. 95,771 on these buildings last year ?

**The Hon'ble Nawab Muhammad Yusuf :** The honourable member is referred to the answer given to question No. 5(4).

\* 7. **Dr. Shafa'at Ahmad Khan** : Do the Government intend raising the rent of these buildings to meet this deficit ?

**The Hon'ble Nawab Muhammad Yusuf :** No. The rents are fixed according to the Fundamental Rules.

APPOINTMENT OF AN EXECUTIVE ENGINEER IN POLICE DEPARTMENT.

\* 8. **Dr. Shafa'at Ahmad Khan** : Has the Police department recently appointed an executive engineer to check works expenditure ? Do the Government departments also intend to appoint executive engineers to check their expenditure on works ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes, the Police department have recently appointed an executive engineer for this purpose. There is a similar proposal in the Jail department, but no decision has yet been taken. There is no such proposal in any other department.

NEW COUNCIL CHAMBER.

\* 9. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state if the Public Works department carries out detailed and constant supervision of the quality of the work of the construction of the Council Chamber ?

**Mr. P. H. Tillard :** The work is not under the Public Works department.

\* 10. **Dr. Shafa'at Ahmad Khan** : Is the work executed by contract under the supervision of a private architect ? If so, what check, if any, is the Government exercising over the work ?

**Mr. P. H. Tillard :** (a) Yes.

(b) The Government appointed a superintendent of works whose duty it is to see that the work is executed in accordance with the specifications.

\* 11. **Dr. Shafa'at Ahmad Khan** : Is it a fact that detailed measurements of actual work done in the construction of the Council Chamber were not recorded in regular measurement works, although work to the extent of Rs. 12 lakhs had been done?

**Mr. P. H. Tillard** : Yes. But all work has now been measured up and properly recorded.

\* 12. **Dr. Shafa'at Ahmad Khan** : Is it a fact that secured advances on the security of materials-at-site were paid to the contractors, although there was no provision for this in the contract?

\* 13. Is it a fact that an advance of Rs. 4,365 was made on the security of materials, such as sand and cement, for the new Council Chamber?

\* 14. Is it a fact that bricks for the construction of the new Council Chamber, to the value of Rs. 71,219, were issued to contractors in November, 1922, and the recovery of the cost was made in instalments from February, 1923 to April, 1924, instead of from the amounts of bills paid to the contractors from December, 1922 to March, 1923?

**Mr. P. H. Tillard** : Yes, but all advances have now been recovered.

\* 15. **Dr. Shafa'at Ahmad Khan** : Is it a fact that a sum of Rs. 22,304 was paid to a firm for supplying electrical fittings to the new Council Chamber without the necessary contract bonds?

**Mr. P. H. Tillard** : No. A contract was made by the architect and has been confirmed by Government.

\* 16. **Dr. Shafa'at Ahmad Khan** : What is the total cost per annum of the establishment of the superintendent of works for the new Council Chamber, and the total fee paid to the architect?

**Mr. P. H. Tillard** :

(1) Rs. 22,000.

(2) Rs. 1,58,918.

\* 17. **Dr. Shafa'at Ahmad Khan** : Who makes payment of all bills on account of the construction of new Council Chamber?

**Mr. P. H. Tillard** : The Chief Pay and Accounts Officer, Public Works department.

#### TREASURY OFFICERS.

\* 18. **Dr. Shafa'at Ahmad Khan** : Do the Government intend organizing a new service of treasury officers and discontinuing the present practice of deputing deputy collectors? Has any scheme been drawn up? If so, will the Government be pleased to lay a copy on the table?

**Mr. E. A. H. Blunt** : The honourable member is referred to the replies given to starred question No 13 for March 9, 1927, and No. 57 for March 15, 1927. There is no definite scheme so far, since the whole matter is still in the stage of experiment.

#### MACHINERY FOR THE ALLAHABAD UNIVERSITY PRESS.

\* 19. **Dr. Shafa'at Ahmad Khan** : Will the Government be pleased to state how the press machinery that was purchased from the Indian Press, Allahabad, for the University of Allahabad, and subsequently handed by the University, in 1924, to the Government Press has been disposed of? What loss has the Government sustained over the transaction?

**The Hon'ble Rai Rajeshwar Bali :** The Government Press, Allahabad, took over part of the machinery and part was sold by public auction. The loss was Rs. 16,845.

**PROMOTIONS TO THE SELECTION GRADE OF IMPERIAL POLICE.**

\* 20. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the Government cancelled certain officiating promotions to the selection grade of the Imperial Police, and a senior officer, who was originally passed over, was promoted to a selection grade with retrospective effect from April 1, 1923?

**The Hon'ble Sir Sam O'Donnell :** Yes.

\* 21. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the Government allowed the recovery of the allowance overdrawn by the officer to be waived?

**The Hon'ble Sir Sam O'Donnell :** Yes.

\* 22. **Dr. Shafa'at Ahmad Khan :** What was the amount of the overdrawal, and when was it paid to the officer?

**The Hon'ble Sir Sam O'Donnell :**

<i>Name of officer.</i>		<i>Amount overdrawn.</i>	<i>Date of payment.</i>
		Rs.	
Mr. J. E. Fife	.. ..	197	May 19, 1924.
Mr. W. E. Acock	.. ..	1,452	May 23, 1924.
Mr. E. H. Bruce	.. ..	388	June 11, 1924.
Mr. M. H. Eyre	.. ..	1,793	June 16, 1924.

The orders referred to in question No. 20 were passed in October, 1925.

**MOTOR LORRIES IN POLICE DEPARTMENT.**

\* 23. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the Police department still possesses nine motor lorries, which they have not been able to dispose of? What price did the seven lorries sold by the department fetch?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Said Khan :** It is not a fact. Twenty-six lorries have been sold as surplus or beyond repair for a total sum of Rs. 19,175.

\* 24 to \* 41. **Dr. Shafa'at Ahmad Khan :** [*Postponed at the request of Government till April 2, 1927.*]

**INSPECTOR FOR MUHAMMADAN SCHOOLS.**

\* 42. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they contemplate appointing an Inspector of Muhammadan Schools in the near future? If so, when will he be appointed?

**The Hon'ble Rai Rajeshwar Bali :** Government will examine the question in connexion with the report of the Wetherill Committee.

**REPORT ON PRIMARY EDUCATION BY MR. HARROP.**

\* 43. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if they have taken into consideration Mr. Harrop's report on primary education for boys?

**The Hon'ble Rai Rajeshwar Bali :** No.

## DR. AMAR NATH BANERJI AND BENARES POLICE.

\* 44. **Babu Sampurnanand** : (a) Is it a fact that in February last the Benares police surrounded Dr. Amar Nath Banerji of that city with a view to search him ?

(b) Who was the officer in charge of the police party at that time ?

(c) Was it the object of the police only to search Dr. Banerji's person or his house also ?

\* 45. Did the Benares police catch hold of Dr. Banerji while he was visiting the house of a patient ? Why was the house of that patient searched ?

\* 46. Was anything taken away by the police as a result of the search ? Was a list of the articles so taken given to the owner of the house ?

\* 47. Was Dr. Banerji made to march along the street in police custody to another house and then released ?

\* 48. Was he subjected to all this because of his supposed relationship to a man named Bhaduri ?

\* 49. What relief does Government propose to give to Dr. Amarnath and his patient for the treatment they had to undergo ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : A police search party, in the direct charge of Sub-Inspector Abdul Hamid of the Chauk thana and under the supervision of the superintendent of police was ordered to make a house search in connexion with a pending criminal case. The officer in direct charge of the party went to the wrong house. When the search of three rooms had been completed, the superintendent of police became aware of the mistake in conversation with Dr. Banerji, who was visiting a patient in the house. He stopped the search and returned all articles, with the exception of three or four papers already listed. These were returned later through the regular channel. The superintendent of police apologized to Dr. Banerji for the mistake. Dr. Banerji was not taken into custody and was not marched through the streets in custody. On the contrary, he was treated with consideration and politeness and has himself made no complaint. Dr. Banerji referred to the matter in conversation with the district magistrate as a comedy of errors, and said that full amends had been made to him at the time. Dr. Banerji has assured the district magistrate that he has no grievance.

**Babu Sampurnanand** : Is it a fact that Dr. Banerji was made to accompany the police to another house where he was finally released ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : He was not taken there in custody. The police took him to find out that what he said was correct.

**Babu Sampurnanand** : Was Dr. Banerji free to accompany the police or not as he chose ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Yes.

**Babu Sampurnanand** : Did he go there of his own free will or as an informer ?



**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** He might or might not have gone there as an informer, but he was not arrested nor was he in custody.

**Thakur Manjit Singh Rathor :** Will the superintendent of police make an expression of apology in writing ?

**The Hon'ble the President :** When Dr. Banerji is said to have been satisfied, I do not see how the question arises unless the honourable member has information to the contrary.

#### NEW COUNCIL CHAMBER.

\* 50. **Babu Sampurnanand :** What is the nature and cost of foreign material of all kinds so far used in the construction of the new Council Chamber ?

**Mr. P. H. Tillard :** A statement is laid on the table.

(See Appendix B, page 698.)

**Babu Sampurnanand :** Why was Italian marble used ; was not Indian marble available ?

**Mr. P. H. Tillard :** Italian marble is considered more suitable for the work by the architect.

**Babu Sampurnanand :** What were the doors and window fittings made of ?

**Mr. P. H. Tillard :** Brass.

**Babu Sampurnanand :** Could not these things be got in India ?

**Mr. P. H. Tillard :** They could have been, but it remained with the architect to make his own selection.

**Babu Sampurnanand :** Had he not been instructed to purchase Indian things as far as possible ?

**Mr. P. H. Tillard :** No.

**Babu Sampurnanand :** Will the Government be pleased to issue instructions to him ?

**Mr. P. H. Tillard :** I am afraid it is too late. The whole thing is over.

#### MEMORIAL OF THE SUPERVISOR QANUNGOS.

\* 51. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if four hundred memorialists from amongst supervisor qanungos submitted a memorial to His Excellency the Governor ten months ago ? If so, did the Government take any action on it ?

\* 52. Did the Government send any reply to the memorialists ? If so; when and what ?

**The Hon'ble Sir Sam O'Donnell :** Government have only this month received the report called for from the Deputy Director of Land Records. They are considering it.

#### LEGAL PRACTITIONERS.

\* 53. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that some district judges want to examine new legal practitioners before allowing them to practise independently ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Government are aware that an allegation to that effect was made in a letter to the editor published in the *Leader*, dated February 18, 1927.

\* 54. **Pandit Bhagwat Narayan Bhargava:** Has the Government or the High Court issued any instructions to district judges regarding this? If so, what?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Government have issued no instructions. The High Court have issued a circular letter to all district judges, a copy of which is laid on the table.  
(See Appendix C, page 698.)

#### RULES FOR ACCOUNTANTS IN DISTRICT OR MUNICIPAL BOARDS.

\* 55. **Pandit Bhagwat Narayan Bhargava:** Has the Government made rules fixing qualifications for accountants to be employed by district or municipal boards?

If so, will it lay a copy of the same on the table?

**The Hon'ble Nawab Muhammad Yusuf:** Yes, in the case of district board accountants. A copy of the rules is laid on the table.

(See Appendix D, page 699.)

\* 56. **Pandit Bhagwat Narayan Bhargava:** Has the Government considered the question of unqualified accountants who are in the service of the boards for over twenty years?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

\* 57. **Pandit Bhagwat Narayan Bhargava:** What objection has the Government got to exempt old servants in the accounts branch of boards from getting any certificate from Local Fund Examiner?

**The Hon'ble Nawab Muhammad Yusuf:** Competent accountants should have no difficulty in obtaining the certificate.

#### GOVERNMENT PLEADERS.

\* 58. **Pandit Bhagwat Narayan Bhargava:** Has the Government issued any orders prohibiting Government pleaders from taking an active part in politics?

If not, will it state if it has no objection to their taking such part?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:**  
(a) The answer is in the negative.

(b) Government pleaders are not officials and are therefore not debarred from taking part in politics.

**Mr. A. P. Dube:** Does the Government Advocate come under this category?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I think that does not arise out of my reply.

\* 59 and 60. **Pandit Bhagwat Narayan Bhargava:** [Postponed at the request of Government till April 2, 1927.]

#### DIVISIONS WHERE COMMISSIONERS WORK AS POLITICAL AGENTS.

\* 61. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state the divisions where the Commissioners are working as Political Agents also?

**The Hon'ble Sir Sam O'Donnell:** Rohilkhand, Benares and Kumaun.

**Pandit Bhagwat Narayan Bhargava:** Is it a fact that the Government intends to entrust this work to the Commissioner of Jhansi division as well?

**The Hon'ble Sir Sam O'Donnell:** I know of no such intention.

GOVERNMENT OFFICE WHICH REVIEWS BOOKS AND NEWSPAPERS.

\* 62. **Pandit Bhagwat Narayan Bhargava:** (1) Is there any particular office under the Government which reviews all the books and newspapers published in the United Provinces? If so, where is it located and what are its functions?

(2) To whom does this office send its reports?

**The Hon'ble Sir Sam O'Donnell:** (1) Newspapers are examined in the Secretariat at Allahabad and books by a retired deputy collector at Allahabad. The latter is responsible for bringing to notice—

(a) books of special interest,

(b) books which offend against the law as being obscene or seditious or otherwise objectionable.

Newspapers are examined in order to keep the Government abreast of opinions current in the press and for reason (b) above.

(2) The reports are made to Government.

\* 63. **Pandit Bhagwat Narayan Bhargava:** Is any action taken against this office for omission to bring objectionable matters to the notice of the Government?

**The Hon'ble Sir Sam O'Donnell:** None has been necessary.

\* 64. **Pandit Bhagwat Narayan Bhargava:** Does any officer make periodical inspection of this office?

**The Hon'ble Sir Sam O'Donnell:** The office as such is inspected. Objectionable books and newspaper articles can come to notice in so many ways that any serious omission in the office would soon become apparent.

\* 65. **Pandit Bhagwat Narayan Bhargava:** Does this office maintain a summary of the review of all books received by it?

**The Hon'ble Sir Sam O'Donnell:** So far as necessary.

#### DACOITIES IN MUTTRA.

\* 66. **Pandit Bhagwat Narayan Bhargava:** (1) Is it a fact that in Muttra district several dacoities have been committed within a radius of about ten miles?

(2) When were these dacoities committed?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (1) Yes.

(2) On January 1, 4, 26 (a doubtful case) and 28.

\* 67. **Pandit Bhagwat Narayan Bhargava:** Have any arrests been made? If so, how many and in connexion with which of the dacoities?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Six arrests have been made in the first and last cases.

\* 68. **Pandit Bhagwat Narayan Bhargava**: Have any of the cases come up before court?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: No.

\* 69. **Pandit Bhagwat Narayan Bhargava**: Are there any police *chaukis* near the localities?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: No.

\* 70. **Pandit Bhagwat Narayan Bhargava**: Was any dacoity committed in or near Shergarh village?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: No.

\* 71. **Pandit Bhagwat Narayan Bhargava**: How far is this village from the headquarters of a tahsil and the district?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: It is eight miles from the tahsil headquarters and 22 from Muttra.

#### ARREST OF RANPAT SINGH OF JALAUN IN JHANSI.

\* 72. **Pandit Bhagwat Narayan Bhargava**: Is the Government aware that one Ranpat Singh, resident of Jalaun district, has been arrested in civil lines, Jhansi, by Datia State police?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: Inquiry has been made. The answer is in the negative.

\* 73. **Pandit Bhagwat Narayan Bhargava**: Is it a fact that the District Magistrate, Jhansi, or the Commissioner, took serious objection to this? If so, with what result?

\* 74. Will the Government be pleased to state for what offence he was arrested?

\* 75. Will the Government be pleased to state under what law was the State authorized to make the arrest within British territory without district magistrate's permission?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan**: Do not arise.

\* 76. **Pandit Bhagwat Narayan Bhargava**: [*Disallowed.*]

#### KINDERGARTEN SCHOOLS IN THE UNITED PROVINCES.

\* 77. **Pandit Bhagwat Narayan Bhargava**: Does the Government aid or maintain any Kindergarten schools in the United Provinces? If so, where and how many? If not, does it intend to establish any in the near future?

**The Hon'ble Rai Rajeshwar Bali**: Applications for aid will be considered on their merits, when received. One such application from a school at Allahabad is being examined.

**Pandit Bhagwat Narayan Bhargava**: Does the Government itself intend to establish any such schools?

**The Hon'ble Rai Rajeshwar Bali**: We have got Kindergarten classes in the girls' schools.

**Mr. A. P. Dube**: Is this school not meant more for rich men than for poor men?

**The Hon'ble the President**: That is a separate question altogether.

THE DISTRICT BOARD ENGINEER, AGRA.

\* 78. **Rai Bahadur Munshi Ambe Prasad** : Is the Government aware that the district board, Agra, has appointed an unqualified and untrained engineer who has not even passed the sub-overseer class examination ?

**The Hon'ble Nawab Muhammad Yusuf** : The district board engineer, Agra, is not qualified, but was exempted under proviso to rule 1 of the rules governing the appointments of engineers owing to his long experience of public works.

\* 79. **Rai Bahadur Munshi Ambe Prasad** : If the reply be in the affirmative, will the Government be pleased to direct the said district board to appoint a qualified engineer ?

**The Hon'ble Nawab Muhammad Yusuf** : No.

SUITS FOR COMMUTATION OF RENT FILED IN BAREILLY.

\* 80. **Rai Bahadur Munshi Ambe Prasad** : Is the Government aware that owing to the enforcement of the new Tenancy Act the zamindars of Bareilly district have been put to great inconvenience by an exceedingly large number of suits of commutation of rent in lieu of existing *batais* being filed by the tenants ?

**The Hon'ble Sir Sam O'Donnell** : The number of suits for commutation of rent filed in the Bareilly district is 1,661. Government are not aware of any inconvenience to landlords caused thereby.

\* 81. **Rai Bahadur Munshi Ambe Prasad** : If the reply be in the affirmative, will the Government be pleased to issue instructions to the revenue authorities to deal with such cases as was done in ejectment suits before the passing of the new Tenancy Act and, if not, will the Government be pleased to give reasons ?

**The Hon'ble Sir Sam O'Donnell** : Government have no such intention. The measure referred to was necessary because legislation was pending ; it would be quite unsuitable to a period immediately succeeding legislation.

\* 82. **Rai Bahadur Munshi Ambe Prasad** : Is the Government aware that when the tenants, owing to their sheer negligence, do not pay their arrears at the fixed time, the zamindars approach the law courts under section 81 of the new Tenancy Act, 1926, and incur an expenditure of Re. 1-4 as under, and the law courts do not allow this expenditure from the tenants to be paid to the zamindars :—

Application annas eight, *taltana* annas twelve ?

\* 83. If the reply be in the affirmative, will the Government be pleased to issue orders to tahsildars to allow such costs to the zamindars from the tenants ?

**The Hon'ble Sir Sam O'Donnell** : The question of costs is a judicial matter, which the court must decide for itself on the merits of each suit. It is not a matter in which Government are prepared to interfere with the general discretion of the courts.

SIR RICHARD BURN'S SERVICES TO THE BENARES STATE.

\* 84. **Babu Sampurnanand** : What was the period and what were the condition on which the services of Sir Richard Burn were let in the Benares States ?

\* 85. What was the specific work for which he was required by the State?

**The Hon'ble Sir Sam O'Donnell :** Sir Richard Burn was permitted to accept temporary employment in the Benares State whilst on leave for one month preparatory to retirement and for a short time after retirement. The exact dates have not been reported to the Government. It is understood that His Highness the Maharaja required Sir Richard Burn's advice in certain matters of internal administration.

**Babu Sampurnanand :** In question No. 84 I used the word "conditions." I wanted to know the allowances that he gets. That has not been answered.

**The Hon'ble Sir Sam O'Donnell :** I must ask for notice of that.

\* 86 **Babu Sampurnanand :** [*Postponed at the request of Government till March 30, 1927.*]

\* 87 to 90. **Babu Sampurnanand :** [*Postponed at the request of Government till April 2, 1927.*]

#### GRANT TO BENARES MUNICIPALITY FOR WATER-WORKS.

\* 91. **Babu Sampurnanand :** (1) Has the Government decided to make any grant to the Benares municipal board for the complete reorganization of its water-works?

(2) Has any part of the proposed grant been paid to the board?

(3) When will the rest be paid?

**The Hon'ble Rai Rajeshwar Bali :** (1) Yes, five lakhs.

(2) Yes.

(3) The balance will be paid as proposed. Two lakhs in 1927-28, one lakh in 1927-28 or 1928-29.

\* 92. **Babu Sampurnanand :** Does Government instruct or expect local bodies receiving grants from it for specific purposes to purchase only from British firms such of their requirements as cannot be had in India?

**The Hon'ble Nawab Muhammad Yusuf :** No.

#### PERCENTAGE OF PASSES IN SANSKRIT EXAMINATIONS.

\* 93. **Babu Sampurnanand :** What are the reasons for the fact that, as appears from the tables given on pages 15 and 17 of the General Report on Public Instruction for the year ending March 31, 1926, the percentage of passes in the Sanskrit examinations was in all cases lower than that of the University examinations?

**The Hon'ble Rai Rajeshwar Bali :** Presumably because the students who appeared for the Sanskrit examinations were less well prepared to test than those appearing for the University examinations.

**Sampurnanand :** Have Government received any complaints or articles in the press that the examinations were especially stiff this year—much stiffer than previous years?

**The Hon'ble Rai Rajeshwar Bali :** No, we have not received any such complaints.

\* 94 to 98. **Babu Sampurnanand :** [*Postponed at the request of Government till the first day of the next session of the Council.*]

\* 99. **Raja Saiyid Ahmad Ali Khan Alvi:** [*Withdrawn by the honourable member.*]

DISTRICT BOARD, AZAMGARH.

\* 100. **Raja Saiyid Ahmad Ali Khan Alvi:** What is the annual income of the Azamgarh district board? How much out of this income is being spent by the board on education?

**The Hon'ble Nawab Muhammad Yusuf:** The income of the Azamgarh district board during 1925-26 was Rs. 5,43,133. Its expenditure on education during that year was Rs. 3,20,787.

\* 101. **Raja Saiyid Ahmad Ali Khan Alvi:** Does the Azamgarh district board receive any annual subsidy for education from Government? If so, what is the amount of such subsidy?

**The Hon'ble Rai Rajeshwar Bali:** Yes; Rs. 2,51,690.

\* 102. **Raja Saiyid Ahmad Ali Khan Alvi:** What is the number of *pathshalas* and *maktabs* and of vernacular primary and middle schools in Azamgarh controlled by the district board?

**The Hon'ble Rai Rajeshwar Bali:** In the current year the board reports that it aids—

39 *pathshalas*,

50 *maktabs*,

41 preparatory schools for boys,

19 schools for boys of the depressed classes,

55 preparatory schools for girls,

and that it maintains—

for boys—19 middle schools,

230 ordinary primary schools,

240 ordinary preparatory schools,

13 Islamia primary schools,

20 Islamia preparatory schools,

for girls—4 primary schools,

16 preparatory schools.

Total ... 746

\* 103. **Raja Saiyid Ahmad Ali Khan Alvi:** What amount is spent annually by the said board on *maktabs* and *pathshalas* respectively?

**The Hon'ble Rai Rajeshwar Bali:** In the budget estimate for 1926-27 the Azamgarh district board provided a sum of Rs. 10,504 for grants-in-aid to *pathshalas* and Rs. 6,864 for grants-in-aid to *maktabs*.

MUSLIM CHAIRMEN IN DISTRICT BOARDS.

\* 104. **Raja Saiyid Ahmad Ali Khan Alvi:** What is the number of district boards in the United Provinces in which the chairman is a Muslim and the names of such district boards?

**The Hon'ble Nawab Muhammad Yusuf:** One; Aligarh.

## MUSLIM MEMBERS IN DISTRICT BOARDS.

\* 105. **Raja Saiyid Ahmad Ali Khan Alvi** : Are there any district boards in the United Provinces in which the Muslim members are in a majority? If so, will the Government be pleased to give the names of such district boards?

**The Hon'ble Nawab Muhammad Yusuf** : No.

## TRAINING OF INSPECTORS OF CO-OPERATIVE CREDIT SOCIETIES.

\* 106. **Pandit Bhagwat Narayan Bhargava** : Will the Government be pleased to state the number of persons selected by it as candidates for training as inspectors of co-operative credit societies?

**The Hon'ble Thakur Rajendra Singh** : Twenty-four.

\* 107. **Pandit Bhagwat Narayan Bhargava** : How long will the training last and on what conditions?

**The Hon'ble Thakur Rajendra Singh** : About five months; three months will be spent on training in the field and two months in rural economics.

\* 108. **Pandit Bhagwat Narayan Bhargava** : Will these candidates be paid any stipends and any travelling allowance for going out in villages?

**The Hon'ble Thakur Rajendra Singh** : No.

**Babu Sampurnanand** : Is it a fact that the Oakden Committee recommended that these inspectors should get stipends like they do in the Punjab?

**The Hon'ble Thakur Rajendra Singh** : I ask for notice.

\* 109. **Pandit Bhagwat Narayan Bhargava** : Will the Government state how many of those now under training will be employed as inspectors? What will be the criterion for the final selection?

**The Hon'ble Thakur Rajendra Singh** : Government are unable to say. Final selection of candidates for direct appointment will depend partly on the result of the final examination and partly on the general work of candidates during training.

\* 110. **Pandit Bhagwat Narayan Bhargava** : Has the Registrar issued any special instructions to the inspectors for the candidates under training? If so, will the Government be pleased to lay them on the table?

**The Hon'ble Thakur Rajendra Singh** : Yes; a copy is laid on the honourable member's table.

*(See Appendix E, page 700.)*

\* 111. **Pandit Bhagwat Narayan Bhargava** : In which particular district or division have these candidates been posted for training?

**The Hon'ble Thakur Rajendra Singh** : Saharanpur, Unao, Bareilly, Agra, Allahabad, Partabgarh, Gorakhpur, Benares and Jalaun.

\* 112 to 114. **Pandit Bhagwat Narayan Bhargava** : [Postponed at the request of Government till the first day of the next session of the Council.]



TRANSLATION BUREAU.

\* 115. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state if by the appointment of the existing translation bureau it is their intention to have only non-technical books written in vernacular ?

**The Hon'ble Rai Rajeshwar Bali :** No.

\* 116. **Pandit Bhagwat Narayan Bhargava :** Is there any member on this committee who may be regarded as an expert of technical subjects ?

**The Hon'ble Rai Rajeshwar Bali :** No.

SUPPLY OF STATIONERY TO ALL DEPARTMENTS.

\* 117. **Pandit Bhagwat Narayan Bhargava :** From where does the Government arrange for the supply of stationery in all its departments ?

**The Hon'ble Thakur Rajendra Singh :** From the Central Stationery Office, Calcutta.

\* 118. **Pandit Bhagwat Narayan Bhargava :** Are any tenders called at present for its supply ?

**The Hon'ble Thakur Rajendra Singh :** This Government have no information.

ENGLISH SCHOOL AT KALPI.

\* 119. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that there was a Government English school at Kalpi in Jalaun district ?

\* 120. Is it a fact that that school was afterwards converted into a municipal English school ? If so, why and when ?

\* 121. Is it a fact that this school too was abolished ? If so, why and when ?

\* 122. Is the Government aware that there is a great demand for an English school at Kalpi ?

**The Hon'ble Rai Rajeshwar Bali :** Government have no information and are making inquiries.

\* 123. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the Collector of Jalaun district explained the scheme of a proposed English school at Kalpi to the Hon'ble Minister of Education when the latter visited Orai last year ?

**The Hon'ble Rai Rajeshwar Bali :** The Collector of Jalaun did make some proposals to me when I visited Jalaun, but no definite scheme has since been submitted to Government.

\* 124. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that the Gwalior State is willing to contribute Rs. 10,000 for the construction of a building of this school on the condition that the district meets the rest of the expenditure ?

**The Hon'ble Rai Rajeshwar Bali :** Government have no information and are making inquiries.

TRANSFER OF DEPUTY COLLECTORS OR TAHSILDARS.

\* 125. **Pandit Bhagwat Narayan Bhargava :** Is there any practice or a rule that a tahsildar or deputy collector should not ordinarily be allowed to remain in a district for more than five years ?

**The Hon'ble Sir Sam O'Donnell :** There is no rule. It is however the usual practice to transfer an officer who has been five years in a district. Exceptions are made, if there is sufficient reason.

\* 126. **Pandit Bhagwat Narayan Bhargava :** Is it a fact that the Government makes an inquiry from each Commissioner of division every year as to why such of these officers who have remained for more than five years in a district should not be transferred?

**The Hon'ble Sir Sam O'Donnell :** The answer is in the negative.

#### HONORARY MAGISTRATES IN JHANSI.

\* 127. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the number of honorary magistrates who are invested with second class powers in Jhansi division?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Two.

\* 128 to 130. **Pandit Bhagwat Narayan Bhargava :** [*Postponed at the request of Government till April 2, 1927.*]

#### MUNSI'S COURT IN JHANSI DIVISION.

\* 131. **Pandit Bhagwat Narayan Bhargava :** Is the Government aware that, except in Jhansi district, there is only one munsit's court in the rest of the three districts of the division?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There are five munsifs' courts in the Jhansi division, namely, at Jhansi, Lalitpur, Hamirpur, Orai and Banda.

#### BOARD OF LOAN COMMISSIONERS.

\* 132. **Pandit Bhagwat Narayan Bhargava :** Will the Government be pleased to state the reasons why the Legislative Council is not given the right of representation on the Board of Loan Commissioners?

**The Hon'ble Thakur Rajendra Singh :** The honourable member is referred to paragraphs 10 and 11 of resolution No. 1142/XVII—224, dated July 20, 1922.

\* 133. **Pandit Bhagwat Narayan Bhargava :** Will the Government give the personnel of this Board?

**The Hon'ble Thakur Rajendra Singh :** The personnel is as follows :—

- |  |           |
|--|-----------|
| (1) Mr. A. W. Pim, C.S.I., C.I.E., I.C.S. ...                          | Chairman. |
| (2) The Registrar, Co-operative Societies, United Provinces ...        | Members.  |
| (3) Chief Inspector of Factories and Boilers, United Provinces ...     |           |
| (4) One representative of the Imperial Bank ...                        |           |
| (5) } Two representatives of Joint Stock Banks ...                     |           |
| (6) }  |           |
| (7) One representative of the Board of Industries ...                  |           |
| (8) One representative of the Upper India Chamber of Commerce ...      |           |
| (9) One representative of the United Provinces Chamber of Commerce ... |           |
| (10) One representative of the Finance department ...                  |           |
| (11) Director of Industries, United Provinces ...                      |           |

PAY OF THE AUDITOR OF CO-OPERATIVE CREDIT SOCIETIES.

\* 134. Pandit Bhagwat Narayan Bhargava: What is the pay which an auditor of Co-operative Credit Societies gets? Is he given any peon or clerk?

The Hon'ble Thakur Rajendra Singh: An auditor's pay ranges from Rs. 50 to Rs. 100 according to grade. He has no clerk nor peon.

\* 135. Pandit Bhagwat Narayan Bhargava: Is there any other incumbent in this department getting less pay than that of an auditor?

The Hon'ble Thakur Rajendra Singh: Yes.

\* 136. Pandit Bhagwat Narayan Bhargava: [*Postponed at the request of Government till April 2, 1927.*]

NEW *mandi*, MUZAFFARNAGAR.

\* 137. Pandit Iqbal Narayan Gurtu: Is it a fact that an entirely new commercial area, popularly called new *mandi*, covering an area of nearly 86 acres, has been constructed and established under the auspices of the Merchants' Association at Muzaffarnagar without any monetary help from Government?

The Hon'ble Nawab Muhammad Yusuf: Yes.

\* 138. Pandit Iqbal Narayan Gurtu: Has the Government received complaints from the merchants about the flooding of the new *mandi* area during the rainy season?

The Hon'ble Nawab Muhammad Yusuf: Yes.

\* 139. Pandit Iqbal Narayan Gurtu: Is it a fact that the scheme prepared by the Executive Engineer, Public Works department, Meerut, for construction of roads and drainage of this *mandi* area is estimated to cost nearly 4.63 lakhs of rupees?

The Hon'ble Nawab Muhammad Yusuf: Yes.

\* 140. Pandit Iqbal Narayan Gurtu: (a) Is it a fact that the municipal board, Muzaffarnagar, is not in a position to finance the scheme without a substantial free grant and loan from Government?

(b) Have the municipal board applied to the Government for a free grant of two lakhs of rupees and a loan of rupees two lakhs for carrying out the roads and drainage scheme of the new *mandi*?

The Hon'ble Nawab Muhammad Yusuf: Yes.

\* 141. Pandit Iqbal Narayan Gurtu: (a) Is it a fact that the Government has laid down a condition to the advance of loan of rupees two lakhs that the buildings and land taxes be raised from Rs. 4-11 to Rs. 7 per cent.?

(b) Is it a fact that the municipal board has not yet raised the rate of tax on buildings and lands as suggested by the Government, but have submitted proposals for the further raising of the income from toll terminal taxes?

The Hon'ble Nawab Muhammad Yusuf: Yes.

\*142. **Pandit Iqbal Narayan Gurtu :** (a) Is it a fact that the municipal board introduced [in Muzaffarnagar toll terminal taxes in 1922 ?

(b) Is the Government aware that the new *mandi* is the chief centre for the through trade of the Muzaffarnagar district ?

(c) Have the merchants made any complaints about the ruinous effects of these taxes on their through trade ? If so, will the Government be pleased to state what are their reasons and apprehensions for doing so ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) Yes.

(b) This is understood to be the case.

(c) Yes ; they urge that their margin of profit is very small and that the tax has the effect in the case of certain commodities of reducing their profits.

**Pandit Iqbal Narayan Gurtu :** Is it a fact that most of the traders in the new *mandi* are wholesale traders ? Is it a fact that under the toll tax system they cannot get refund for articles that are sent outside ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

\*143. **Pandit Iqbal Narayan Gurtu :** (a) Will the Government be pleased to state whether there was any strong opposition by any class of persons of Muzaffarnagar against the *mandi* scheme from its very inception ? If so, what were those classes ? Had they anything to do with the vested interests in the old *mandis* and the Muzaffarnagar town proper ?

(b) Is it a fact that the proposal for the acquisition of land for the construction of this new *mandi* was first submitted to Government by the Collector of Muzaffarnagar early in 1920, but was finally sanctioned in June, 1922 ?

(c) Will the Government be pleased to state whether at the time when the proposals for acquisition of land for the new *mandi* area which lay on the other side of the railway station were first submitted to the Government this area was outside the municipal limits ? If so, will the Government be pleased to state when were municipal limits extended to include this area ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) Certain owners of land were opposed to the scheme.

(b) Yes.

(c) Yes. The area was included in June, 1921.

**Pandit Iqbal Narayan Gurtu :** Is it a fact that besides owners of land, the opposition was chiefly from owners of shops who were getting high rents ?

**The Hon'ble Nawab Muhammad Yusuf :** There is a clashing interest and opinion is divided.

**Pandit Iqbal Narayan Gurtu :** The answer was that certain owners of land were opposed to the scheme. I want to know besides certain owners of land whether the opposition was mainly from owners of shops ?

**The Hon'ble Nawab Muhammad Yusuf:** The opposition was from people belonging to the municipality generally.

**Pandit Iqbal Narayan Gurtu:** Not from the owners of shops?

**The Hon'ble Nawab Muhammad Yusuf:** Possibly.

**Pandit Iqbal Narayan Gurtu:** It is possible, I understand, that it was from them too?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

**\*144. Pandit Iqbal Narayan Gurtu:** (a) Is it a fact that the Merchants' Association and other merchants carrying on business in this new *mandi* are very strongly opposed to municipal control? If so, will the Government be pleased to state what are their reasons for this opposition?

(b) Have the merchants of new *mandi* submitted memorials and representations to the Government for the exclusion of this area from municipal limits and its constitution as a notified or town area?

**The Hon'ble Nawab Muhammad Yusuf:** (a) Yes. They urge that the majority of the members of the municipal board represent the interest of the old town and not the interests of the new *mandi*.

(b) Yes.

**Pandit Iqbal Narayan Gurtu:** How many members represent the new *mandi* on the municipal board?

**The Hon'ble Nawab Muhammad Yusuf:** Two.

**Pandit Iqbal Narayan Gurtu:** Two against?

**The Hon'ble Nawab Muhammad Yusuf:** One.

**Pandit Iqbal Narayan Gurtu:** May I know the total number of members on the board?

**The Hon'ble Nawab Muhammad Yusuf:** I require further notice.

**\*145. Pandit Iqbal Narayan Gurtu:** Is it a fact that the question of the exclusion of the new *mandi* from the municipal area and of financing the roads and drainage scheme of this *mandi* has been pending before the Government for the last two years?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

**\*146. Pandit Iqbal Narayan Gurtu:** Is it a fact that the Merchants' Association have offered to construct all the necessary roads and drains of this new *mandi* at their own cost without any monetary help from Government in the shape of grant or loan, in case the *mandi* area is excluded from the municipal limits and constituted into a notified or town area?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

**\*147. Pandit Iqbal Narayan Gurtu:** (a) Is it a fact that the Commissioner of Meerut division and the Collector of Muzaffarnagar are strongly of the opinion that the whole scheme of the new *mandi* is of vital importance to the future prosperity of the district and could be best made successful by entrusting its management to merchants whose sole interests are in the *mandi* and that a forced union of rival interests will be disastrous to the promising trade of Muzaffarnagar and in the long run ruinous to the old town and the municipal board?

**The Hon'ble Nawab Muhammad Yusuf:** General suitability. That is the only reason.

DEPRESSED CLASS NOMINATIONS IN MUNICIPAL AND DISTRICT  
BOARDS OF MORADABAD.

\* 158. **Babu Bhagwati Sahai Bedar :** (1) Are the representatives of the depressed classes in the Moradabad municipal and district boards members of the depressed classes ?

(2) If so, to which class do they belong ?

(3) If not, will the Government be pleased to state as to what special interest these gentlemen have taken previous to their nominations in depressed classes which justified their nominations and what interest they have so far taken in them which justifies the Government to keep them in their seat ?

**The Hon'ble Nawab Muhammad Yusuf:** (1) The answer is in the affirmative with regard to the district board. There is no representative of the depressed classes on the municipal board.

(2) The representative of the depressed classes on the district board is a *baghban*.

(3) Does not arise.

POLICY WITH REGARD TO DEPRESSED CLASS NOMINATIONS  
TO LOCAL BODIES.

\* 159. **Babu Bhagwati Sahai Bedar :** Will the Government be pleased to finally define its policy with regard to nominations of the depressed classes to the local bodies, district and municipal boards ?

**The Hon'ble Nawab Muhammad Yusuf:** The honourable member is referred to the answers to starred questions Nos. 89 and 93 of March 4, 1927, which enunciate the policy of Government with regard to the nominations of depressed classes (copy enclosed).

(Copy of starred questions Nos. 89 and 93 for March 4, 1927, and their answers.)

QUESTIONS.

\* 89. With reference to the answer to starred question No. 1 of Khan Bahadur Hafiz Hidayat Hussain of June 25, 1926, will the Government be pleased to give the reasons for not nominating depressed class men as members of the district and municipal boards in 1925-26 in the districts in which they were not nominated ?

\* 93. Will the Government be pleased to state what steps, if any, are going to be taken to ensure the nomination of representatives from among the depressed classes only in local bodies in future ?

ANSWERS.

\* 89. In making nominations to represent the depressed classes the guiding principle with the Government has been to select men fitted by education and otherwise to further and safeguard their interests in the boards. Where suitable members of the depressed classes were available they were nominated; otherwise preference was given to those who had worked among them and were interested in their welfare. Failing both these classes of persons other suitable persons were appointed; but such cases were very rare indeed.

\* 93. When nominations have again to be made the Government will as usual inquire whether there is a suitable representative of the depressed classes.

EXHIBITION COMMITTEE, MORADABAD.

\* 160. **Babu Bhagwati Sahai Bedar :** Is it a fact that there is a Moradabad Exhibition Committee at Moradabad ?

(a) If so, is it a registered body ?

(b) What is the constitution of this committee ?

(c) Has it any bylaws ?

(d) Who are its members and how are they elected ?

(e) Has it any managing committee, who are the members of this committee and what are their duties and responsibilities ?

(f) How far do the district authorities take part in its affairs ?

**The Hon'ble Nawab Muhammad Yusuf:** The information is not at present available. A reply will be given at a later date.

**\*161 to \*165. Babu Bhagwati Sahai Bedar :** [*Postponed at the request of Government till April 2, 1927.*]

#### LICENCES FOR SALE OF DRUGS.

**\*166. Babu Bhagwati Sahai Bedar :** As provided under condition No. 12 in the licence for the sale of liquor regarding the absence of licensee owing to illness or some other emergent business, is the Government aware that there is no such provision in the licence for the sale of drugs and opium ?

If so, will the Government be pleased to consider the advisability of making such a provision in the licence for the sale of drugs and opium as exists in condition No. 12 in the licence for the sale of liquor ?

**The Hon'ble Thakur Rajendra Singh:** A similar condition has been included in the licences for the sale of drugs and opium.

#### HOMEOPATHIC SYSTEM OF TREATMENT.

**\*167. Babu Bhagwati Sahai Bedar :** Has the Government recognized so far the homeopathic system of treatment ?

If so, in what way does the Government intend to help this system ? If not, why not ?

**The Hon'ble Rai Rajeshwar Bali:** No. In addition to the allopathic system, the Government have recently accepted the policy of encouraging the two indigenous systems. They cannot think of going any further, having regard to their financial resources.

#### UNSTARRED QUESTIONS.

##### MEDICAL INSPECTION OF FOOD IN JAILS.

1. **Thakur Hukum Singh:** Is it a fact that the medical officers directly in charge of jail dispensaries are not allowed to check the kind, quality and the amount of the material of food to be supplied to prisoners ?

**Mr R. L. Yorke:** The food of the prisoners in the hospital is inspected by the medical officer in charge of the jail hospital and the quality of the food of other prisoners is checked and inspected by the superintendent and the medical officer.

2. **Raja Kushal Pal Singh :** [*Postponed at the request of Government till April 2, 1927.*]

## BUDGET, 1927-28.

## DISCUSSION OF DEMANDS FOR GRANTS.

## Demand No. 8. Irrigation.

**Lala Nemi Saran :** I beg to move a token reduction of Rs. 100 under sub-head "B—Productive works (Establishment)."

I have moved this reduction in order to discuss the question of the appointment of deputy magistrates in canals. One thing which struck me is this that I believe that the system of appointing deputy magistrates for canals is as old as the establishment of the present canal system in India. We have changed very much since then; our notions of justice have also changed since then. We already know that there has been a great agitation in this Council and outside as well about the separation of judicial and executive functions. We do not want that our judicial officers should be biased with any executive notions, and I believe that if we cannot bear the position that deputy collectors should also be executive officers in the districts, we also cannot bear the idea that these canal deputy magistrates should be differently recruited and should be under the Canal department on which they generally sit in judgement.

The Canal department is a commercial department and the zamindars and tenants connected with the irrigated area are its customers. Questions generally arise between the seller and the customers and these deputy magistrates are there to decide such questions. I cannot understand on what principle of justice it is equitable that an officer who is immediately under the control of the department should sit in judgement in such cases. I have tried to find out the justification of these magistrates being put under the control of the department, but could not find any justification. I also inquired about it from some of my friends belonging to this department, and I confess that they too have not been able to convince me on this point. As far as I think, this is one of the instances of executive justice which the British Government in its early days brought in India, by "executive justice" I mean justice which is administered not for the sake of the parties, but mainly for the convenience of the department concerned. We know, Sir, that those who seek for this kind of justice and who are generally the parties against the Irrigation department, i.e., the customers, are very badly treated and their cases are very much affected because of the fact that they are decided by one of these deputy magistrates. I was asked to move this motion by certain persons who reside in the territory which is served by canals. Unfortunately, I am not one of those who is mainly connected with this department, for I do not belong to a part where irrigation is abundant. But as far as the cases of these persons are concerned, they gave me many a harrowing account of things which at least to my mind disclosed things which were far from satisfactory. I believe that the Government in this twentieth century would admit that this sort of executive justice can no longer stay, can no longer satisfy the demands of the people, and it is for that reason that I move this reduction. I believe that the meaning of this motion would be taken to be this that we want that these canal deputy magistrates should be dispensed with and that one of the ordinary deputy magistrates under the district magistrate should be entrusted with canal work in the same way as there are excise magistrates, railway magistrates and magistrates who deal



with offences under special Acts. Sir, here I may give an analogy. There is the Railway department which is a far greater commercial department than the Irrigation department. I think it deals with a great majority of people. That department too has not got a special magistrate under it. The arrangement is that one of the ordinary deputy magistrates is entrusted with railway work and all cases arising out of that go to him. The difference between this sort of arrangement and the present arrangement in the Irrigation department is this: now the fate of these canal magistrates is sealed with the department; they are absolutely under the control of the executive engineer and naturally they, being men of the department, have got that spirit of trade unionism which every departmental man has got, while in the former case the deputy magistrates are in no way influenced by the department which is a party to the case before them. In the circumstances it is but natural that we do not expect impartial justice from these canal magistrates. It is for this reason that I have moved this motion.

**The Hon'ble Sir Sam O'Donnell :** The honourable member who moved this motion is evidently under the impression that the main duties of the canal deputy magistrate are to try cases of breaches of the canal law. As a matter of fact that is only a small part of the duties of the deputy magistrate. The main duties of the deputy magistrate are in connexion with canal revenue. He is in such matters the right-hand man of the executive engineer; he has to supervise the ziladars, the amins and the patrols; he has to see that the revenue is properly collected; he has to decide disputes regarding the division of water, and so on. These are his main duties. He has also no doubt in his capacity as magistrate to try cases of breaches of the canal law. Now there are good reasons why these cases should continue to be tried by these deputy magistrates. If they were not so tried, then the parties concerned would have to go to headquarters and they would be dragged away from their work at a season when it is very inconvenient to leave it in order to appear in court at headquarters. Under the present arrangement these cases are decided with the minimum of inconvenience to the cultivators on the spot. The deputy magistrates *qua* deputy magistrates, that is, in their judicial capacity, are not under the control of the executive engineer; they are entirely under the control of the district magistrate in the same way as other magistrates, that is to say, the district magistrate is their head for that purpose. I do not mean to say that he exercises any control over their judicial decisions; he stands in the same relation to them as he stands to the other magistrates in the district, and the executive engineer is not concerned with the judicial side of the deputy magistrate's work. Most of these cases end in the imposition of a small fine. There are very few cases where a severer penalty is imposed and all such convictions of course are open to appeal in the ordinary way. And I am not aware that the decisions of the canal deputy magistrates are reversed on appeal in a larger proportion of cases than the decisions of other magistrates.

**Shaikh Muhammad Habib-ullah :** The reasons given by the Hon'ble the Finance Member strengthen the point raised by the honourable mover of this motion. He said that these deputy magistrates are a part of the Canal department. This is all the more reason that they

[Shaikh Muhammad Habib-ullah.]

should not sit in judgement over criminal cases in which the canal servants and the members of the public are parties. It is further said that if these canal servants are deprived of their magisterial powers, the public will have to suffer the inconvenience of going to the headquarters—rather being dragged to the headquarters. At present there are tahsil magistrates, there are honorary magistrates, and I do not think there will be any inconvenience to the people if their cases are tried by them. Rather they will be happy for it, for in that court they will not see only the canal patrols, the canal officials who started the prosecution. They will find atmosphere clear if they went to another court to have their cases tried. I therefore think that the motion is a very sound one and should be accepted by the Government.

**Lala Nemi Saran :** The Hon'ble the Finance Member has advanced four reasons against my motion. The first one has already been dealt with by my friend Shaikh Habib-ullah. The Hon'ble the Finance Member has said that it would inconvenience the department if for such prosecution cases as the department may launch against certain persons these deputy magistrates are not invested with criminal powers and they are to be tried in ordinary magisterial courts. If I may put the other side of the picture to him, may I tell him that it is not only inconvenience but it is to the extent of humiliation of respectable men who are not well treated in the courts of canal magistrates, and if certain inconvenience is to be felt by the department or the departmental officers that should, I think, be allowed or be borne by the department when the other alternative is the humiliation of the gentlemen and persons of standing. Therefore I believe that the inconvenience to the departmental officers or to the departmental men does not hold water in face of the fact that that inconvenience is by far counterbalanced by the humiliation of the public. The second thing which the Hon'ble the Finance Member has tried to make out is that these deputy magistrates in their judicial capacity are not under the control of the executive engineer. Sir, judicial or executive, whatever the capacity may be, a man is a man, a man is not a divisible animal. He is one all through. His prospects of life and service are at the mercy of the executive engineer of the Canal department. In view of these circumstances can we expect that he can sit in sound justice on any case in which the Canal department, is a party? I believe that this plea on behalf of the Hon'ble the Finance Member has no meaning when these canal deputy magistrates are absolutely under the thumb of the department. The third thing he has said is that these deputy magistrates impose very small fines in these cases. Sir, they may be small fines for the Hon'ble the Finance Member who gets such a high salary, but they are much of consequence to those persons who earn only Rs. 10 or Rs. 12 a month. Apart from that, it is not only the fine, but it is also the humiliation to which respectable men are subjected in these trials.

The fourth thing that he has said is that there is an appeal and appeals can be made against these orders. Well, we all know that in these petty cases of small fines, as the Hon'ble the Finance Member has said they generally are, it is very difficult to get an order reversed in appeal, and if fortunately a man may be able to get it so reversed he

has got to spend much more than what he had to pay in fine. Taking all these facts into consideration it is equitable that if these canal magistrates have got to do revenue work, the criminal powers which they have got to exercise should be withdrawn from them and ordinary deputy magistrates should be invested with such powers, and therefore I press this motion.

**The Hon'ble the President :** The issue before the House is that the deputy magistrates should be deprived of their criminal and judicial powers.

**The Hon'ble Sir Sam O'Donnell :** The honourable member who moved this motion does not seem to have heard what I said. I do not think I said anything about the inconvenience to the department. As a matter of fact if the cases were tried at the headquarters there would be a certain amount of dislocation of work. Officers of the department, subordinate officials would have to go to headquarters to give evidence. But that is not the reason why we are in favour of maintaining the present system. What I said was that it is much more convenient to the parties concerned, that is, the people who are prosecuted, to have these petty cases decided on the spot than to be compelled to go to the headquarters. One honourable member has suggested that they might be tried by honorary magistrates. I note with gratification this testimonial to the good work of the honorary magistrates. At the same time I think that even if the cases did go to the honorary magistrates, the parties would have to travel good many miles; and I still maintain that the cultivator would much rather have the matter settled on the spot. Mr. Nemi Sarau spoke about the humiliation. Well, no case in which an individual has been humiliated has been brought to my notice. If honourable members can furnish particulars of any such case we shall certainly look into it. But, until they do bring forward a specific case, I am not prepared to admit that any one has been humiliated. When I said that the cases ended generally in a fine, I did not mean to say that the fine was of no consequence to the cultivator. If that were so, there would be no point in imposing a fine. What I meant to say was that these cases are petty cases and better decided on the spot than by directing the parties to appear at headquarters at great expense to themselves and dislocation of the work of the department.

**The Hon'ble the President :** The issue before the House is whether or not canal deputy magistrates should be allowed to exercise their criminal judicial powers.

*The motion was put and adopted.*

**Pandit Shri Sadayatan Pande :** I beg to move a (token) reduction of Rs. 10 under sub-head "B(3)—Establishment."

The reason why I am moving this reduction of ten rupees under the entire head establishment is, firstly, that an increased amount of Rs. 1,08,783 has been provided this year, while last year the amount stood at Rs. 1,23,32,067. There is a general complaint about the treatment of the subordinate staff of the Irrigation department from tenants. So is this establishment being increased every day? In the second place

[Pandit Shri Sadayatan Pande.]

supply of water has always been delayed and has not been supplied to the cultivator at the proper time.

**The Hon'ble the President :** Those remarks would be better in order under the entire head.

**Pandit Shri Sadayatan Pande :** I am dealing with the establishment and that consists of the staff of the Irrigation department.

**The Hon'ble the President :** What point has the honourable member raised so far? As regards the delay of the supply of water, that had better come later on.

**Pandit Shri Sadayatan Pande :** I want to make a general survey of the whole thing by mentioning these facts. My chief point is why is increase being made every year in the establishment charges when the general treatment of the staff concerned is not very good.?

**The Hon'ble the President :** The honourable member wishes to draw the attention of the department to the treatment of tenants by the subordinates of the department?

**Pandit Shri Sadayatan Pande :** I mean to draw the attention of the Government by moving this cut. The chief point I wish specially to urge on this occasion is that the patrols and zilladars have not been paying sufficient attention to the proper supply of water in time. And the result is that the crops dry up and complaints of this sort are numerous. So I again want to urge that in future the supply of water should always be in time and the treatment of the patrols and zilladars should be more cordial and kindly towards the poor cultivators.

**The Hon'ble Sir Sam O'Donnell :** I must confess I am not clear what the honourable member has been driving at. He began by referring to the treatment of the subordinate staff, and I thought he meant that the subordinate staff were not well treated by the superior officers. Later on it appeared that the subordinate establishment did not treat the cultivator well, and in particular that the patrols failed to supply water at the proper time. As a matter of fact the supply of water is not in the hands of the patrols; it is controlled by the executive engineer who fixes the roster week by week. There will always be complaints about the supply of water at the tail end of the canal. At the tail end it is always difficult to keep a full supply; the people higher up are in a stronger position and from time to time get more than their share. All the department can do is to try and remove difficulties at the tail end, and they do that to the best of their ability.

**Pandit Shri Sadayatan Pande :** I understand from what the Hon'ble the Finance Member has remarked that the control of water rests mainly with the executive engineer. That is true, but of course when the water is let loose from the higher head then, of course these lower subordinate staff are responsible for the proper supply. Even when the water is running in the lower canals and when at the same time a certain plot is irrigated, at the same time the adjoining plot is not irrigated. I do not want to go into the details, but what I mean by making this remark is this that these people should be warned to make an equal treatment to all and not make special treatment.

**The Hon'ble the President:** Does the honourable member wish to press the motion?

**Pandit Shri Sadayatan Pande:** Yes, Sir.

**The Hon'ble the President:** What is the issue before the House?

**Pandit Shri Sadayatan Pande:** I want to draw attention of the Government towards the canal staff so that they might be warned not to give partial treatment.

**The Hon'ble Sir Sam O'Donnell:** All I have to say is that the supply of water is controlled by the executive engineer. If any member of the subordinate establishment were to close the head of distributary which the executive engineer had ordered to be opened, he would certainly be dismissed and *vice versa*; and the risk he could run would be very great since there would be immediate complaints. It seems hardly credible therefore that any member of the subordinate staff would interfere. I am not suggesting that the subordinate establishment are entirely free from faults of any kind—that is not true of any subordinate establishment in any department. But as far as the supply of water is I do not see how they can interfere. As I said, however, if the honourable member concerned can bring any instances to notice in which there has been an abuse of power by any members of the subordinate establishment we will look into them.

**Pandit Sri Sadayatan Pande:** Sir.....

**The Hon'ble the President:** The honourable member cannot make another speech.

The question is that a reduction of Rs. 10 be made under the head "B(3)—Establishment."

*The motion was put and negatived.*

**Mr. C. Y. Chintamani:** I beg to move a token reduction of Rs. 1,001 under sub-head "Works and tools and plant."

The issue that I wish to raise is the purchase of stores for the department. I would like to know whether both on the Sarda Canal works and in connexion with the requirements of the open canals every care is taken by the department to give preference to indigenous over imported materials, in so far, of course, as the goods are available of sufficiently good quality and at fair prices. I wish to know further to what extent, if at all, the Stores Purchase department is utilized by the Irrigation department.

**Mr. B. D'O. Darley:** I think I can satisfy the honourable member in this respect. Our stores are purchased as far as it is possible to do so entirely through the Stores Purchase officer. It is only in the case of machinery that we do not purchase through the Stores Purchase officer, because he has no department under him which can advise him in the purchase of machinery. But still we send him all tenders which we receive from various firms and obtain his permission to the pur

[M. B. D'O Darley.]

at least inform him of the purchase, and he can raise any objection if he wishes to do so.

**Mr. C. Y. Chintamani:** I am gratified by the statement made by the Chief Engineer and I would ask for leave to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Dr. Shafa'at Ahmad Khan:** As regards motion No. 37, I would like to ask, before I move it, if I can discuss the question of unproductive canals here. ?

**The Hon'ble the President:** What exactly does the honourable member want to know ?

**Dr. Shafa'at Ahmad Khan:** I want to ask the Government for some information regarding unproductive canals, the amount they are spending and the policy they are pursuing. I am not sure under which I can move it.

**The Hon'ble the President:** The best thing would be in that case to bring it forward under the entire head.

**Dr. Shafa'at Ahmad Khan:** I will discuss it under the entire head.

**Mr. C. Y. Chintamani:** I beg to move a (token) reduction of Rs. 1,001 under sub-head "Direction."

My first point is that the Irrigation department is connected so intimately with the activities of the department of Agriculture that the Local Government should take steps to bring the two under one authority. There should be no dualism here. Irrigation is under the Finance Member and the Governor in Council. The department of Agriculture is under the Minister of Industries and Agriculture and under the Governor acting with his Ministers. The stand point of the Governor in Council in dealing with this subject appears to me, from the point of view of agriculture, to be highly unsatisfactory. My justification for this statement is to be found in this passage in the despatch of the Governor in Council to the Government of India, addressed in 1924. The Governor in Council wrote:—"The Irrigation department, as a glance at its manual will show, is intimately connected with the revenue administration. The principles on which water is distributed, the regulation of outlets, the classification of soil as wet or dry, the collection of rates are all matters which are the joint concern of the two departments. A division of control would impair efficiency and entail much friction." Here one would search in vain in the whole passage for a single word from which one could think, even inferentially, that the Governor in Council recognized the development of agriculture to be the principal object of the Irrigation department. It is true that in the administration of the department we do urge that regard should be paid to considerations of economy. That does not, however, mean that we want the Irrigation department to be merely a handmaid of the Revenue department. When we want statistics relating to irrigation works of various kinds, it is not to publications relating to the Revenue department that we go. It is to this volume of Agricultural Statistics published by the Government of India that we have to go for any infor-

mation relating to various matters pertaining to irrigation. It may be said that it is not within the purview of the Governor in Council to determine what should be under which half of the Government. Technically that answer would be correct. But in so far as the Governor in Council would exert any influence by expression of opinion upon the determination of this matter, I have shown by a citation of this important passage that the attitude of the Governor in Council is highly objectionable from the non-official point of view and also from the point of view of agricultural development.

The second point to which I wish to invite attention is the combination of functions in the officer known as Chief Engineer and Secretary to Government. The Chief Engineer as head of the department considering questions from the departmental point of view makes his recommendations to the Government. Technically speaking, he addresses the Secretary to Government. That is, he must address himself. And then from the Chief Engineer emerges the different personality known as Secretary to Government, and he directly makes recommendation to the member in charge. In the two branches of the Public Works department, therefore, the Chief Engineer fulfils both the functions. To what humorous situations this sometimes leads can be seen from the concluding sentence of the last Government resolution on the Irrigation report. The administration report was submitted in due course by the Chief Engineer, and the review of that report concludes with the following sentence:—"The excellent progress made on the construction of the Sarda canal and the skill with which all difficulties have been surmounted reflect great credit both on Mr. Bion and Mr. Darley. By order of the Governor in Council, B. D. O'Darley, Secretary to Government."

I do not impute to Mr. Darley the mention of his name in the review, for it is very likely that it was inserted by the Finance Member while the rest of the draft had been prepared by Mr. Darley himself. The author of the report is really also the author of the review of the report and probably a blank space was left in order that the Finance Member might say what he thought of the author of the report as well as of its review. Once there was an agricultural conference held at Bombay, and the present Sir Henry Lawrence (at that time he was only Mr. Lawrence, Director of Agriculture), with great self-satisfaction called the attention of the conference to an article appreciative of the activities of his department, which was published in the previous day's *Times of India*. My veteran friend, Sir Dinshaw Wacha, reputed throughout his life for plain-speaking, got up and said:—"For aught I know that article appreciating your work might have been written by yourself." Of course the statement was denied, and the denial was accepted by Sir Dinshaw Wacha. He added that it not unoften happened. Here I submit that it is also within my knowledge that newspaper appreciations, particularly in the Anglo-Indian press, of departmental activities are not so wholly impersonal and disinterested as the unsophisticated reader might think. Here, the Governor in Council in dealing with Irrigation, just as the Governor acting with his Ministers in dealing with Buildings and Roads, finds himself in the difficult position that he has an adviser as secretary the person who is also the head of the department. The Hon'ble the Finance Member will say and say that the system is working most excellently, and the

[Mr. C. Y. Chintamani.]

doubt that we are all here to learn and that we all live to learn. The Hon'ble the Finance Member himself confessed yesterday in the matter of the creation of the fourth post of superintending engineer and of the abolition and the revivification of the post of Personal Assistant and Under Secretary that he had lived to learn; but I can assure the Hon'ble the Finance Member that in this as well as in several other matters relating to the Government the process of my education has nearly been completed, and although I may live I am afraid in certain things I shall not learn much, and one of these things is that the head of a department and the Secretary to Government in that department ought not to be one and the same individual. At the proper time I shall speak with greater emphasis on the self-same question when I come to the other branch of the department, but even here I am strong in the conviction that at least the Finance Member should agree to a consideration of this unsound dual position. At first I wanted to say a few words about the position of superintending engineers, but it was already referred to yesterday, and I was so frightened by the manner in which the Hon'ble the Finance Member disposed of the question on the very expression of a doubt on my part whether the subject should not be considered, that I have not the courage to repeat those observations.

**The Hon'ble Sir Sam O'Donnell:** The first point made by the honourable member for Partabgarh raises a large constitutional issue, namely the distribution of the various subjects between the reserved and transferred sides of the Government. I do not propose to embark on a discussion of that issue. I do not think that this is the forum or the occasion for a discussion of that kind. The constitution was not made by the Local Government. It was made by Parliament, and our task is to work it. If the constitutional issue is to be raised in this country, I think that the proper place to raise it is in the Assembly. From a practical point of view I do not admit that the separation of agriculture and irrigation has led to any inconvenience. It is no doubt the case that the Agricultural department and the Irrigation department have many points of contact. The Agricultural department can be and is of great assistance to the Irrigation department, and as a matter of fact the heads of these departments co-operate closely and sympathetically.

The next point raised by the honourable member for Partabgarh relates to the combination of the functions of the two posts of the Chief Engineer and the Secretary. On the question of principle, I am in general as regards most departments in agreement with the honourable member for Partabgarh. I think that in the case of most departments there is a clear distinction between the functions of a Secretary and those of a head of department. It is not the business of a Secretary to interfere on technical matters. On such matters every one must be guided by the advice of experts. The business of the Secretary is to examine questions arising in the department from administrative, political and financial points of view, to which perhaps experts may not have given sufficient attention. In most departments, therefore I agree that the combination of the duties of the head of department and of a Secretary is undesirable. But I do think that the Irrigation department stands on a special footing. Work in that department is mainly of a technical character, and so far as my experience goes very few questions arise with which a non-technical Secretary could profitably deal. Of



course, Government have to supervise the department, and to watch its general working. The Finance department in particular has to look to the financial results. But I can only say, after four years' experience of the department, that the kind of cases which are so numerous in other departments are very few indeed in the case of the Irrigation department. Whatever the theoretical arguments may be, in practice I maintain that in the Irrigation department the existing arrangement has worked well, and there is no need to alter it. The honourable member for Partabgarh said that this combination of functions gave rise to humorous situations. Perhaps he was trying to get back on me in respect of some remarks that I made the other day about his lack of humour. It may be that I am also lacking in humour, but as to the statement to which he referred I may say in justice to Mr. Darley that he was not responsible for the concluding sentence in the review.

**Mr. A. P. Dube :** I am afraid I do not agree with the Hon'ble the Finance Member when he says that this is not the forum or this is not the place where a protest could be made on a constitutional issue of that sort. Now let us analyse the situation a little. Have we, who are the representatives of the province and of the voters of a certain grade, a right to express our views upon a constitutional question or not? Perhaps the view of the Hon'ble the Finance Member is that the place where these questions can be dealt with are, I am not sure, the Council of State and the Assembly. But you will at once see if you analyse the position that our representatives in the Council of State represent a constituency which I may say is a constituency made up of rich men and big landlords. Similarly I would say that our representatives in the Assembly also represent a constituency which is very highly placed. Now have we, who represent the lowest stage of representation, the proletariat if I may say so, got any right to express our views to show where the shoe pinches on the floor of this House? How are we going to express our views upon the matter? I submit therefore that we have a right to express our views on this point. And in that connexion I would say that in their hurry or rather in their unwillingness to grant anything like home rule or any department which could be made a success they have tried to make divisions of the departments that are transferred to the Ministers. I ask the House if it is possible to grow two blades of grass on an agricultural site without having the means to water them? Therefore the statement itself shows that the division is a most unnatural one. India is an agricultural country and has been so for centuries. England has not been an agricultural country and under the pseudo-idea of science claims to teach agriculture.

**Pandit Iqbal Narayan Gurtu :** May I inquire whether the discussion is to be confined to "direction".

**Mr. A. P. Dube :** I am only dealing with the subject which the honourable member for Partabgarh brought forward.

**The Hon'ble the President :** I was rather in a difficulty as to rule out the remarks made by the honourable member for Partabgarh and the honourable member for Allahabad. It is rather difficult

[The Hon'ble the President.]

whether a constitutional matter of such importance could be raised in a debate in such a manner and be voted upon by the House without sufficient discussion. The issues raised are of vast constitutional importance and the matter has been discussed throughout the country, and I do not think it can be discussed thoroughly in connexion with the Irrigation department. But I think, if I know anything about the political demands of my countrymen, that they want complete provincial autonomy at least, that is, a transfer of all the reserved departments to the Ministers. If such a question is raised here and now it would be putting the House in a rather awkward position. I know that His Excellency the Governor disallowed several resolutions on that point, and if I may be permitted to take the House into my confidence I myself gave notice of a similar resolution, but it was disallowed by the Governor. I do not say it may not be discussed. It may be discussed to such an extent as to let the Governor in Council have the opinion of the House with regard to a particular matter, but only as regards a particular matter and in a brief manner. Otherwise it would be side-tracking the whole issue and utilizing this demand for discussion of constitutional issues. If that be so, that same discussion can take place on other demands also. The result will be that the guillotine would apply at the very first motion, and this House would make no headway with the motions for reductions.

**Mr. A. P. Dube :** I will leave this point altogether and deal with the second point attempted by the Hon'ble the Finance Member. In his opinion it was not wrong that the Chief Engineer should hold a dual capacity, and the reason that he gave was that the Irrigation department was a department dealing with figures and required special knowledge. But all over the world, even in such technical matters as the Army and Navy, the Secretary of State in England for instance is a layman, and after a good deal of consideration it has been found that the military men and the naval men and the special department men are always inclined to run away with ideas and that a special civilian officer is necessary to be a sort of check on those officers.

The third point that was made was that it was a department of a technical nature. The other day, in the last month I suppose, the House of Lords dealing with an Admiralty case said that however technical a matter may be and however technical the nature of evidence may have been, it is the duty of the laymen—the lay Lords—to apply their minds and to form their own opinions on the matter. Now I submit that any matter, however, technical it may be is no good to anybody unless it is reduced to the simplest proportions which even an ordinary layman could understand. For these reasons I support the motion of my friend the member for Partabgarh.

**Mr. C. Y. Chintamani :** I too shall follow the example of my friend who has just spoken and shall leave out the bigger constitutional issue. I wanted to draw attention to the unsatisfactory attitude of the Governor in Council on that point, and I did so. I have taken note of the opinion now expressed by the Hon'ble the Finance Member in full confirmation of the view that he took in 1924. We shall fight the issue in a bigger arena, and I am sure sooner or later, sooner than later, sooner than

honourable members opposite will be willing that it should be, the victory will be ours and not theirs. But when the Finance Member spoke of the close and cordial co-operation between the two heads of the Irrigation and Agricultural departments he might have thrown a little more light upon our ignorance and told us what was the extent to which this close and cordial co-operation prevailed between himself as the Irrigation member and the Hon'ble Minister for Agriculture. It is not only the co-operation in day to day matters by heads of departments themselves or also co-operation and united action by the two members of the Government in charge of the two departments in matters of policy which is called for in the interests of agricultural development. Passing from the general to the particular, will the Hon'ble the Finance Member enlighten the Council whether the Minister for Agriculture is ever consulted when it is proposed to revise irrigation rates? If he will say in an unqualified manner that the Minister for Agriculture is so consulted, and that due weight is given to his opinion, I shall be able to contradict his statement at least by citing one or two cases. There I am content to leave the matter.

Next I come to the position of the Chief Engineer-Secretary. The Hon'ble the Finance Member is willing in general terms to agree that my proposition is sound, that the head of the department and the Secretary to Government in that department should not be one and the same individual. He stated in terms which I can wholly endorse, the different points of view from which the head of the department and the Secretary to Government in the department have to look at a question in advising the Government. I shall carry the point a little further than he has done. The head of the department has to make frequent tours of inspection, the Secretary to Government is expected to be always at the elbow of the Government. I have made inquiries with regard to another head of a department to which we shall come later on. Now will the Hon'ble the Finance Member tell me that the circumstance that the Chief Engineer is also Secretary to Government does not interfere with his duties as an officer who has to make tours of inspection? There again I can tell him when we shall come to the Buildings and Roads branch of the Public Works department, that it does interfere. If he says that it does not in the Irrigation department, if he will cite facts, we shall consider them.

Next the Finance Member has spoken of the peculiar position of the Irrigation department where technical knowledge is required, where a Secretary who does not possess that technical knowledge will not be of assistance to the Government. But, Sir, the technical knowledge is supplied by the head of the department and in any proposal which the head of the department submits to the Government through the Secretary the technical knowledge which the Government may require is there, and the Secretary has to consider those technical matters from other points of view. If it is held that at every stage of the transaction from the initiation to the conclusion, that at every stage technical knowledge is necessary, then I am afraid the Hon'ble the Finance Member will have to vacate his position as Finance Member. What technical knowledge does he possess? My friend the member for Allahabad city has drawn attention to the case of Ministers in England who are in charge of subjects as the Army and the Navy and the Air Force without

[Mr. C. Y. Chintamani.]

any technical knowledge whatever. Even the Secretary to the Admiralty is a layman. I am not unaware, however, that this analogy can be carried too far. The Hon'ble the Finance Member naturally attaches great importance to expert opinion. So do I, so does every sensible man; but there is a point at which the value of expert opinion as such ceases; it may even become risky if you do not test expert opinion by other standards. Like fire, experts are good servants but bad masters. The late Lord Salisbury, once confronted with military opinion upon a certain matter relating to the Indian frontier, met his critics with the reply that if you are always to be guided by military men you should have to send an expedition to Mars for fear that another planet might invade and annex it. If expert opinion is to be tested by considerations of statesmanship and statesmanship is merely the foresight of commonsense—and at a certain stage, i. e., when it comes to the member in charge of Irrigation it has to be—should the expert opinion of a number of distinguished officers of the department be the sole determining factor? Even when it comes to the position of Secretary to Government in the department, do not take your stand on the indefensible position that expert knowledge is an indispensable qualification in the Secretary. I do not at all agree with the Finance Member. But assume for the sake of argument that the Hon'ble the Finance Member is right; assume that the Secretary in the Irrigation branch and, as has been said, as all events until recently, that the Secretary in the Buildings and Roads branch also should be officers of the Public Works department, that there is no analogy whatever between the case of the Civil Secretariat and the Public Works department Secretariat, my suggestion does not preclude the Hon'ble the Finance Member from considering the appointment of a highly qualified engineer to do the duties of Secretary; that Secretary will not be the head of the Irrigation department. I should not be misunderstood to be committing myself to the Hon'ble the Finance Member's proposition, but taking him at his word, then what was there to prevent the two members of the Government in charge of the two branches of the Public Works department from considering the appointment of an engineer—well qualified, possessing qualifications required in a Secretary, as Secretary to Government in both the branches of the Public Works department? What is there to prevent him from considering that? I am not aware that even such a proposition has ever been considered. The Chief Engineer is promoted to his position by virtue of his standing and qualifications as a superintending engineer. An executive engineer is selected as a superintending engineer by virtue of his position and qualifications as an executive engineer, and a superintending engineer who has done well as a superintending engineer becomes Chief Engineer. He gets his salary as Chief Engineer, and gets an allowance of Rs. 250 as Secretary, and yet the bulk of his work is done for this Rs. 250 allowance, while the bulk of the more important work of inspection is given a second place. I do think that the Government ought to consider the proposition seriously, and therefore I am not prepared to withdraw this token motion before the House. Before I conclude, I wish to say that the issue before the House is not the big constitutional issue upon which it has to express opinion now, but the simpler issue of the combination of the functions of the head of department and Secretary in one and the same officer.

**The Hon'ble Sir Sam O'Donnell:** The honourable member for Partabgarh asked me to what extent the Hon'ble Minister for Agriculture was consulted regarding irrigation questions, in particular regarding the fixation of canal rates. That is a matter of internal administration as to which it is impossible for me to make any statement.

Between the head of the Agricultural department and the head of the Irrigation department there is co-operation. The points of contact between the Agricultural department and the Irrigation department are nothing like as numerous as they are between the Revenue and Irrigation departments. But in so far as the two departments have common interests there is co operation, for example, on such matters as the depth of water required for irrigating particular crops, the kind of crops that can be grown on the Sarda canal and the adaptation of the Sarda canal to growing such crops. On all these matters there is close co-operation between the heads of the two departments.

The honourable member then went on to say that one of the reasons against having the head of department as Secretary is that the Secretary has always got to be at the elbow of the Government, and he wished to know whether that does not interfere with his touring. Well, so far as the Irrigation department is concerned, it is not the case that either of the Chief Engineers is always at the elbow of the Government. They are almost always on tour during the touring season, and they only come to headquarters occasionally. I am perfectly certain that the fact that the head of the department is also a Secretary has not the least effect on the touring done.

Lastly, the honourable member referred to my statement that the work of the Irrigation department was largely technical. When I made that statement I noticed that the honourable member sat up and I realized that perhaps I was expressing my argument not in the way that I ought to have done. It is rather difficult to make the point quite clear. A non-technical Secretary can deal with questions of broadly an administrative, political or financial character. It is difficult to define the exact number of such questions, but anyone who has been in the Secretariat as long as I have knows the kind of questions with which a non-technical Secretary can deal. In the Police department, for example, and the Revenue department every day a number of non-technical questions arise on which the advice of a Secretary other than the head of the department is very valuable. But, whether I am giving the right explanation or not, the fact remains that in the Irrigation department there are very few questions to which a civilian Secretary or a non-technical Secretary could make a profitable contribution. That is a fact. I have had four years' experience of the department; I have had a long experience of the Secretariat here and elsewhere, and I really do not think that there is sufficient amount of work to justify the appointment of a separate Secretary. I believe that there would be very little work indeed in which the civilian Secretary would be of any assistance. After all, the existing arrangement has been in force for a very great number of years and has worked satisfactorily.

[The Hon'ble Sir Sam O'Donnell.]

Whatever the theoretical arguments may be on the one side or the other side, the results have been satisfactory; and if the existing system works well, I see nothing to be gained by altering it.

**The Hon'ble the President :** The issue before the House, I take it, is the amalgamation of the post of Chief Engineer and Secretary in the Irrigation department. That being the issue before the House, the question is that a reduction be made of Rs. 1,001 under sub-head "Direction".

*The motion was put and adopted.*

**Pandit Bhagwat Narayan Bhargava :** I beg to move a token reduction of Rs. 100 under sub-head "Direction" (page 33 of Irrigation estimates).

The object of my motion is to bring to the notice of the Government the desirability of having more Indians appointed to this branch. A few days ago Mr. Darley, when he asked me as to what was the object of my motion and when I told him what it was, remarked: "You have got one Indian; do you want that all of them should be Indians?" Sir, shall we be committing a political or a racial sin if we were to say "Yes, we do want all Indians." If in their own country Indians are not to get a majority of the higher posts, where are they to get them? Are we to get Indians appointed to higher posts in England, in France or in Germany, if not in India? Sir, it cannot be said that qualified Indians who can be appointed to these posts cannot be found in India. I think, Sir, Indians with higher qualifications than those possessed by several Europeans in the Indian service can be found in this country and are even now available if the Government thinks it fit to appoint them to these posts.

Sir, as was said by my friend Mr. Chintamani, this department is very closely related to the Agricultural department. I think that should be one of the numerous reasons why Indians should be appointed in this branch. We know, Sir, and it is a fact that Indians are in a better position than Europeans to grasp the needs of the agriculturists and to help them in their difficulties. I need not dilate upon the reasons for the necessity of appointing Indians to the higher posts of this branch. We know we have got only one Indian out of seven Chief Engineers and Secretaries and only two, including an officiating hand, out of six superintending engineers. I hope all non-official members of this House will support this motion and will carry it unanimously.

**Mr. C. Y. Chintamani :** I have a word to say on this motion. There are two posts of Personal Assistant and Under Secretary to Government in the Irrigation department. Yesterday the Hon'ble the Finance Member explained why one of the posts which had been abolished in 1924 was revived in 1925. He emphasized the necessity of keeping up that post. At one time there was one Indian occupying one of these two positions in the Irrigation department. At present a reference to the Civil List will show that neither of the Under Secretaries is an Indian. The Hon'ble the Finance Member will tell me that it is

selection, not selection, modified by racial considerations. I wish it to be selection, but provided it is not modified by racial considerations in a manner prejudicial to the Indians. I fear, and this fear is shared by my countrymen generally, that while theoretical homage is paid to selection, in practice, in respect of high appointments, that theory is modified, is watered down, by racial considerations prejudicial to Indians. The two Chief Engineers at present happen to be one European and one Indian. It may be urged as an argument against me that I cannot plead lack of generosity on the part of the Government as long as one of the Chief Engineers is an Indian. But was there never a time when all Secretaries, all Under Secretaries, all heads of departments were Europeans? Is it not still true that the large majority of them are such? Is it a sufficient justification to deprive the Indian officers of the service of one such post merely because one of the two Chief Engineers happens to be an Indian? I say, no. And I do feel, and we here generally feel, a sense of dissatisfaction that the Government should have done away with the Indian Under Secretary and should now have both of them Europeans.

The Hon'ble the Finance Member will correct me if I am wrong in thinking that superintending engineers are also included under the head "Direction."

**The Hon'ble Sir Sam O'Donnell :** Yes.

**Mr. C. V. Chintamani :** Here I wish to draw attention to the position of the Indian officers of the department so far as the post of superintending engineer in the Irrigation branch is concerned. Out of all the officers only one is an Indian and another is officiating. One Indian, Mr. Raj Narain, has already been superseded in the appointment of Mr. Darley himself as Chief Engineer and an executive engineer, Mr. Ali Mehdi, has been superseded by no fewer than four Europeans in the appointment of a superintending engineer. I should like to know why this should be so. The principle of seniority and the principle of selection are the two principles which confront us. Seniority having regard to merit appears in theory to be the determining consideration. In practice a perusal of Gazette notifications and entries in Civil Lists irresistibly drives an Indian student of public affairs to an uncomfortable conclusion. Where a European is senior and an Indian is junior, why seniority of course; there is no reason why a senior should be superseded. Even in such small posts as superintendents in the Secretariat and the posts of head assistants of Commissioners, we are reminded of that principle of undiluted seniority combined with the existence of merit in the officer. Where, however, an Indian is sufficiently senior, then he not unoften finds to his misfortune that he is not supposed to possess the requisite degree of merit and he has to make room for junior Europeans. Sometimes we hear such things as junior Europeans complaining that they have been superseded by senior Indians. I am not telling a tale; there are all stories from real life. In the matter of promotion of executive engineers to the post of superintending engineers as well as of both the Under Secretaries being Europeans we have a distinct grievance.

**Mr. A. P. Dube :** I would not take much time, but I would invite the attention of the Council to the fact that if the days of Burke and Sheridan were there, many an official of the Indian Government will have to stand an impeachment because the Act of 1833 has expressly laid it down that in the matter of appointments to offices no distinction of caste or colour or of any sort will be made. This is a statute. When the powers of the East Indian Company were transferred to the Crown the same principle was affirmed in the year 1858. It was affirmed again by His Majesty the King Edward VII and has been affirmed by His Majesty the King George V. Yet this statute has remained only a scrap of paper all this time. They talk of the change of vision ; the angle of vision is said to be changed ; but when we come to consider the practical application of all these principles we find that somehow or other they work out in favour of the Europeans. If you look to the cognate department of Agriculture the report of which I have read, I am sure you will find that in spite of one steel-frame to which such publicity has been given by Mr. Lloyd George, another steel-frame perhaps more skyscraping than the other is rapidly coming into existence. The departments of Agriculture and Education are continually adding steel fibres to the steel-frame, and I submit that it was time that a protest was lodged in the matter.

**Pandit Govind Ballabh Pant :** I want to put one or two questions and I have no mind to deliver any speech. Many of the points that I wanted to raise have already been covered. I have given notice of a motion, but that does not appear on the paper today as it held a high place yesterday. It has been crowded out perhaps.

**The Hon'ble the President :** It is there before me.

**Pandit Govind Ballabh Pant :** That is auspicious. I want to put two or three questions, and I hope the Irrigation department will be pleased to give satisfactory answers to them. Whether there was an Indian Under Secretary so long as there was the European Chief Engineer ? Whether the Indian Under Secretary was replaced by a European as soon as an Indian was appointed as a Secretary ? Whether the Hon'ble the Finance Member was influenced by racial consideration in doing so ? Or whether he was actuated only by the uniform rule of being guided by the principle of selection ? Whether the Government does or does not think that where an Indian is the Secretary, it is best in the interests of good government that his colleague should be a European so that there may be admixture of virility with caution ? But whatever it be, I want to know whether the Government was in any way influenced by racial consideration, because the Hon'ble the Finance Member has told us again and again that in making appointments it is a misfortune that the system of recruitment which was formerly in vogue handicaps him in opening the gates for Indian, but where the process is reversed I want to know whether racial considerations do come in or not. I will try to be satisfied if the Government gives an emphatic answer and says it was only on account of the exigencies of service, irrespective of racial considerations altogether that the Indian Under Secretary had to be replaced by a European Under Secretary when the European Chief Engineer was replaced by an Indian. The coincidence is very suspicious.



Sir, the other point I want to know is whether the Irrigation department has been engaging men on the temporary staff who having finished their period of service have retired from Government service. If they have been doing so, I put it to them whether they are not with the left hand contravening the rule which they cannot afford to break openly? I know at least of the case of Mr. Jackson who had retired from the service and was re-engaged in the temporary staff. I think it was absolutely improper on the part of the Government to have done so, specially when there is such a wail from one end of the province to the other on account of unemployment, and when there are so many qualified persons prepared to join the posts, and I see absolutely no justification for the course that was adopted by the Government, and I wait for a satisfactory reply. I also want to know what was the pay that Mr. Jackson was receiving at the time he retired, what his pension is, and what is the pay he is receiving in the temporary post. The third point to which I invite the attention of the Government is the employment of mechanical engineers. I want to know how many mechanical engineers they have at present, how many more they intend to employ, who they are, whether there were any applications from graduates in mechanical engineering of the Benares Hindu University, and whether these posts were advertised, and their claims considered, and whether it is the intention of the Government that in future the claims of the graduates of the Benares Hindu University in mechanical engineering should be carefully considered whenever these appointments are made.

**The Hon'ble Sir Sam O'Donnell :** As regards the general question of the recruitment of Indians in the Indian service of engineers—of course the services of the United Provinces Engineering service and the Superintending Engineer are entirely Indian—but as regards the Indian Service of Engineers, the recruitment is governed by the orders of the Secretary of State. At present the proportion laid down is 40 per cent. in England, 40 per cent. in India and 20 per cent. by promotion from the lower service. Since 1920 there have been 12 officers recruited in India, four Europeans—and two men have been promoted. Whether the proportions laid down are what they should be is an issue which I do not propose to discuss.

As regards the personal assistants, they must be fairly senior Executive Engineers; the majority of such Engineers are Europeans; and it is the inevitable consequence of that that the majority of personal assistants are Europeans. But I say most emphatically that in making none of these appointments have we been influenced by racial considerations. It is impossible to go into details—because I cannot discuss the individual merits of officers across the floor of the House, but in every case our object has been to select for the post the officers most suitable.

The honourable member for Naini Tal asked two more questions. One was about engaging temporary men, in particular as regards Mr. Jackson. I understand from Mr. Darley that—he himself does not know the details—but that Mr. Jackson after retiring was taken on for a short period to carry on the work on which he had been engaged at the time of his retirement. I do not know what the work was, but probably it was reconstructing the canal in Dehra Dun which

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been damaged by the floods. I make that statement subject to correction. It was thought that he had better be kept on to complete the work for which he had been engaged. Of course he cannot draw both his pension and pay—there are standing orders against that. As to mechanical engineers, there are three, the posts were advertised and the men who appeared to have the best qualifications were selected.

**Pandit Bhagwat Narayan Bhargava:** The Finance Member laid down certain proportions which he said were governing the matter of having Indians appointed to the Indian service in the Irrigation department. I do not know, Sir, how that proportion works out when we consider the fact that in the Secretariat we have only one permanent Indian. And the same proportion has got no meaning when we consider the case of Superintending Engineers as well. There too we find that there is only one Indian member in the permanent service. As regards the contention that it is regulated by the Secretary of State, I submit that if the Government is convinced that the principle on which we are making a demand for the increase of Indians in the service is a sound one, I think it is up to this Government to make a strong representation to the Secretary of State to see that the wishes of the Indians are met and that the modest demands of the Indians in this connexion are accepted and given effect to.

**The Hon'ble Sir Sam O'Donnell:** I want to make just one remark, and that is that the honourable mover of this motion has misunderstood what I said. I said the proportions according to which recruitment is to be made in the Indian Service of Engineers were fixed by the Secretary of State. It will take time before the Indian Service of Engineers is constituted according to these proportions.

**The Hon'ble the President:** The issue is to emphasize the necessity of having more Indians under "direction" in the irrigation department.

*The motion was put and adopted.*

**Mr. C. Y. Chintamani:** I beg to move a token reduction of Rs. 1,001 under sub-head "Establishment—Executive Engineering establishment."

The object with which I make this motion is to draw the Council's attention to the manner in which the rules framed under certain sections of the Government of India Act are observed by the Governor in Council in dealing with officers of this executive engineering class. Recently two such engineers, assistant engineers or assistant executive engineers they are called, but they belong to this class, were dismissed. One of them is Mr. Piyare Lal and the other Mr. Jwala Prasad. I wish to call attention in some detail—not to the facts relating to either case—I am not here to ventilate the grievance of any individual officer of Government, as I am aware that that would be an abuse of the privileges of the House, but to draw attention to certain facts to show that the Government have not in fact been observing rules by which they are bound, rules made by superior authority for the disposal of such cases.

Now, what happened? There was an engineer, Mr. Jwala Prasad, in the Irrigation branch; he was dismissed from service. He was dealt

with avowedly under the rules framed under section 96B of the Government of India Act. These rules lay down a certain procedure which it is incumbent upon the Governor in Council to observe before he can take such disciplinary action against any officer. Here rule XIV is material. It says : " Without prejudice to the provisions of the Public Servants Inquiry Act, 1850, in all cases in which the dismissal, removal or reduction of an officer is ordered the order, except when it is based on facts and conclusions established at a judicial trial or when the officer concerned has absconded with the accusation hanging over him, shall be preceded by a properly recorded departmental inquiry. At such an inquiry a definite charge in writing shall be framed in respect of each offence and explained to the accused ; the evidence in support of it and any evidence which he may adduce in his defence shall be recorded in his presence and his defence shall be taken down in writing. Each of the charges framed shall be discussed and the finding shall be recorded on each charge." The action against this Engineer was not taken under the Public Servants Inquiry Act, 1850. In terms it was stated that it was in accordance with rules XIII and XIV of the rules framed under section 96B of the Government of India Act that the action was taken. Secondly, the order of the Governor in Council was not based on facts and conclusions established at a judicial trial. Thirdly, the officer concerned has not " absconded with the accusation hanging over him." Therefore all the conditions specified in this rule as to the procedure that should be observed by the Governor in Council have to be satisfied. What is indispensable is a properly recorded departmental inquiry. Was there a properly recorded departmental inquiry ? I shall be surprised if the Hon'ble the Finance Member will courageously say there was. I affirm that there was not. What this rule stipulates is " a properly recorded departmental inquiry." I have for my guidance here " instructions given by the Inspector-General of Police to all Superintendents of Police in the United Provinces " as to the meaning of this " properly recorded departmental inquiry," as to the conditions that should be observed in order that there may be such an inquiry as is contemplated by this rule. It is said here :—" The attention of all officers is particularly invited to the following points disregard of which in the past has been the most fruitful source of irregularity and delay. A departmental proceeding, though generally referred to as a departmental inquiry, is in reality in two parts, an inquiry and a trial, and these parts should be kept as far distinct as possible. The inquiry does not differ in principle from the ordinary police investigation in cognizable and sometimes in non-cognizable cases. It is actually made strictly in accordance with chapter XIV of the Criminal Procedure Code and chapter X of these regulations. The persons examined at the inquiry need not have their statements recorded in full " etc. This is the first stage of the inquiry. I need not trouble the Council with the full citations, although if they wish to have them I am ready to do so. A properly recorded departmental inquiry is the second stage. It is referred to here as a trial.

**The Hon'ble Sir Sam O'Donnell :** Where is it cited ?

**Mr. C. Y. Chintamani :** In the police departmental instructions The evidence must be fully recorded in the presence of the party charged to whom full opportunity of cross-examination must be given. On the face of it all this is contemplated by rule XIV. At such an inquiry

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definite charge in writing shall be framed in respect of each offence and explained to the accused, and the evidence adduced in his defence shall be recorded in his presence and his defence taken down in writing and each of the charges framed shall be discussed.

My next point is that in the Irrigation Manual itself instructions are given as to the procedure that should be observed and I would draw the attention of the Irrigation member to Standing Order No. 161. It is stated :—"In many cases the officer who passes the order of dismissal or removal may not be able to make the inquiry himself and the proceedings leading to dismissal or removal would be conducted by the superior officer on the spot, but the officer empowered to pass the order of dismissal or removal should, in all cases, call upon the offending officer to give a written explanation before passing the final order of dismissal or removal." I should like to know from the honourable Irrigation member whether these instructions which have been embodied in the Irrigation Manual were respected in this case.

Thirdly, it has been laid down that an officer who is suspended must be paid during the period of suspension a subsistence pay. In volume II of the Financial Handbook there is this rule :—"The suspending authority has discretion under rule 43 (b) to fix the amount of subsistence grant at such figure as he may think fit, subject to the prescribed maximum. But he has no authority to refuse subsistence grant altogether in any case which falls under clause (b) of this rule." I quote from a letter of the Government of India in the Finance department. This Mr. Jwala Prasad when he was suspended was refused the subsistence pay. At a later stage it was given to him. I will tell the story presently. Now, Sir, the officer appealed from the order of the Governor in Council to the Governor. In that corporation known as Governor-in-Council the member in charge of Irrigation, to which department this officer belongs, was Sir Samuel O'Donnell and the officer to whom from that order an appeal was sent was His Excellency Sir Samuel Perry O'Donnell, Governor of the United Provinces. I am glad to say that the appeal was not disposed of by His Excellency Sir Samuel Perry O'Donnell. He waited until the arrival of his predecessor and successor. The most notable feature of the replies which were given to the officer concerned in respect of this appeal to the Governor I shall state.

**The Hon'ble the President :** The honourable member said he was not discussing a personal case.

**Mr. C. Y. Chintamani :** I am discussing the procedure. I do not say one word with regard to the merits of the case. For aught I know the officer may have deserved the punishment. The Council has so often stressed the necessity of just dealing with corrupt officers in order to purify the services that I should be ashamed of myself if I were to put in one word in extenuation of the conduct of any officer who deserves punishment. I am only concerned with the impersonal aspect of the case.

In a letter, dated September 28, the Private Secretary to His Excellency Sir Samuel O'Donnell wrote that his "appeal to the Governor had been forwarded to the Secretary to the Government in the

Public Works department, Irrigation branch, who will communicate to him the orders passed on it. Any inquiry regarding it should be made to that officer and not to His Excellency or himself." The appeal is from the Governor in Council of whom the adviser is the Secretary in the Irrigation department, who, however, is also the head of the department. And when an appeal is made from the Governor in Council to the Governor the officer is informed in writing in a formal letter that all communications should be addressed to the Secretary to the Governor in Council and not at all to the Governor himself or to the Private Secretary to the Governor. This throws a flood of light upon the reality of an appeal from the Governor in Council to the Governor. Subsequently another letter was addressed to that officer on November 12. At that time also the letter was sent by the Joint Secretary to Government in the Irrigation branch. It was said: "Your appeal will be considered most carefully on the return from leave of Mr. W. E. L. Stampe, Superintending Engineer." The officer at once addressed the proper authority and pointed out the conditions laid down in the rules. He very suitably observed that if His Excellency the Governor in the consideration of his appeal should hear Mr. Stampe, the accusing officer, he should also be given a hearing and further given an opportunity of being present and of cross-examining in case there was need. This request was not complied with. The net result of the whole of this appeal was that one of the irregularities which had been perpetrated was corrected. The officer was given a subsistence allowance of Rs. 100 a month during the period of suspension.

Now, if I am asked why I trouble the Legislative Council with all this, I have a reply to give. Those officers of the provincial service have no right of appeal from the Governor in Council to the Governor General in Council. They can memorialize and petition as any man in the street can do, but they cannot go for justice with an appeal to any higher authority than the Governor, he being the appellate court over the Governor in Council. And why were these officers deprived of this right of appeal? The new rules, which were first framed in 1920, were a part of the Reforms. They were prepared in the Reforms department of the Government of India, of which the Reforms Commissioner was Sir William Marris and the Secretary Mr. S. P. O'Donnell. It was they who sent up the new rules and when as a result of correspondence between the Secretary of State for India and the Government of India, the letter had to state their position, they mentioned the following as their reason for depriving these officers of their right of appeal, and this, I am sure, would interest the Legislative Council most. They said: "This rule (rule XVIII) which lays down the right of appeal enjoyed by members of provincial service has presented great difficulty. In paragraph 7 of our Reforms office letter on the subject, dated November 13, 1920, we stated that no appeal should lie against any order of a Local Government from an officer who has been appointed by the Local Government or by any authority subordinate to the Local Government after the date on which these rules should come into force. We were of opinion that such officers might fairly be expected to rely on the influence which public opinion and the legislature could exercise for the protection of their interests against any tendency on the part of the Local Government to exercise its authority in an unfair manner." Whether

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was unfairness in substance in this matter I am not here to say. That there was extreme irregularity of procedure, irregularity at almost every stage, which persisted right up to the end, I am convinced. That being so, it is the duty of the legislature, which has been constituted by virtue of advice given by Sir William Marris and Sir Samuel O'Donnell to the Government of India and the Secretary of State, to safeguard the interests of these officers. It is our bounden duty to see that these irregularities are not perpetrated, and that if any officer or officers have not been properly dealt with under these rules and in the manner laid down by these rules, it is incumbent upon the Governor in Council to reopen the case, and, by proceeding in the manner stipulated by these rules, to come to conclusion on the merits. Unless the Hon'ble the Irrigation Member can convince us that no irregularity has been perpetrated, I do trust that the non-official members of the Council will, without a single dissentient, accord their approval to my motion, so that the interests of these officers might be safeguarded.

**Mr. B. D'O. Darley :** I would like to give the facts of the case, so that the honourable members may understand and realize that they are not as the honourable member who has just spoken would have us believe. There was a proper inquiry, charges were framed in writing and the explanation of the officer was taken in writing. I will not deal with the merits of the case, since that is not before the House. Whether this officer was guilty or not is not in question. The facts are as follows :— There were rumours everywhere that this officer was dishonest. When he was about to be transferred from his sub-division, the Executive Engineer ordered the new sub-divisional officer to tour through the sub-division to see that the expenditure which had been incurred by this officer had been properly incurred and that the money had not been wasted. The new sub-divisional officer toured the sub-division when he took over charge and he found that a very large percentage of money which had been allotted to the sub-division . . .

**Mr. C. Y. Chintamani :** If the honourable member is allowed to go into the merits of the case, I hope I shall also be allowed to go into the merits at the time of replying.

**The Hon'ble the President :** I hope Mr. Darley will not go into the merits of the case.

**Mr. B. D'O. Darley :** I only want to show that a proper departmental inquiry was made. The sub-divisional officer found that many channels were in a disgraceful condition, although a large amount of money had been spent. He reported the case to the Executive Engineer, who investigated the matter thoroughly and then reported to the Superintending Engineer. The Superintending Engineer came to the site himself, called for this officer, and when he could give no satisfactory explanation, framed charges against him in writing. Those charges were handed over to Mr. Jwala Prasad and he was asked to put in his defence against those charges in writing, which he did. The whole case was then sent to the Chief Engineer to be dealt with as Secretary to Government.

**The Hon'ble Sir Sam O'Donnell :** I asked Mr. Darley to speak on this question as he is more familiar with the details than I am. But I too

have a clear recollection of this case. After looking into it most carefully I was satisfied that there was no material irregularity. The officer had a full opportunity to put in his defence and his defence was fully considered. The honourable member for Partabgarh has taken objection to the fact that when this officer appealed to His Excellency the Governor he was informed that he should address communications in connexion therewith to the Secretary in the department. I cannot see what is objectionable in that. The papers went to the Secretary in the department and then they were submitted to His Excellency the Governor and the orders passed were those of His Excellency the Governor. It is the ordinary procedure that appeals come up through the department concerned.

**Mr. C. Y. Chintamani:** Neither of the replies which have been given meets the points that I have made. I have laid emphasis upon the phrase "a properly recorded departmental inquiry." In the course of my opening speech I read the whole rule and further read a rule in the Irrigation Manual and I cited certain other details. The speech of the Chief Engineer-Secretary was at the best a combination of a speech on the merits and on procedure. I am expressing my individual opinion when I state that it was in reality a combination of nine-tenths on the merits and one-tenth on procedure. The Hon'ble the Finance Member has spoken on the procedure. I leave it to the Council to say, after having heard me in detail and having heard the Engineer-Secretary and the Finance-Irrigation Member in defence of the Government, whether they are satisfied that the rules have been complied with. If they are satisfied, I have nothing more to say but I believe they will say that they are not satisfied.

**The Hon'ble Sir Sam O'Donnell:** I am unable to discover from the speech of the honourable member from Partabgarh in what respect the inquiry was not a proper departmental inquiry. There were charges framed and the officer was given an opportunity to put in his explanation. The charge against the officer was that of over-measurement and he was given a full opportunity on the spot to show that the measurements were correct. Therefore, Sir, I entirely fail to understand in what respect the inquiry was not a proper departmental inquiry. When a departmental inquiry is instituted the officer concerned is first told what the charges are against him. He is then given an opportunity to put forward his explanation and prove his innocence. In this case, of course, the real proof would have been to show on the spot that the measurements were correct, and that he was unable to do.

**Khan Bahadur Maulvi Fasih-ud-din:** May I know if there are any records of the case?

**The Hon'ble Sir Sam O'Donnell:** There is a great mass of papers.

**Rai Bahadur Babu Vikramajit Singh:** Were any statements recorded?

**The Hon'ble Sir Sam O'Donnell:** The whole question was one of measurements.

*The motion was put and the Council divided as below :—*

*Ayes, 37 ; Noes, 25.*

*Ayes.*

Mr. A. P. Dube.  
Pandit Ranas Bihari Tiwari.  
Babu Sampurnanand.  
Rabu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Hukum Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.

Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Mr. C. Y. Chintamani.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Rai Bahadur Munshi Ambe Prasad.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliot.  
Mr. P. H. Tillard.  
Mr. E. A. Lane.  
Mr. R. L. Yorke.

Mr. A. W. Pim.  
M. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Colonel R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Mr. E. Ahmad Shah.  
Haji Abdul Qayum.  
Maulvi Saiyid Habib-ullah.

✓ **Maulvi Muhammad Obaid-ur-Rahman Khan :** I beg to move a (token) reduction of Rs. 10 under sub-head "Establishment of the Irrigation department—Revenue management." My object in moving this (token) reduction is to raise a point about "lambardar fees" which falls under this head. The fee which the Government is giving to lambardars is only nine pies per rupee at present. I say that this is quite inadequate, because the duties which are performed by a lambardar in this connexion are of a more arduous nature than the monetary compensation awarded to him in the shape of only nine pies per rupee. The lambardar has to collect the full amount just after getting the *jamabandi* from the tenants and then to send to the Government treasury within the prescribed period. If he is unable to realize that sum he has to deposit it from his own pocket. Usually he has to approach each and every tenant to collect it from them. Thus it is quite a hard task. It might be said from the Government side that lambardars of land revenue collect it without any fee, while they give nine pies per rupee to lambardars for collecting the canal revenue; but the two positions are quite different. The zamindars collect the land revenue because they get a portion of it themselves and they pay the rest as land revenue to the Government. And in the second case they get only nine pies per rupee. At the same time if he is unable to realize it he has to go to the court to seek assistance through the proper channel. Therefore my submission is that there should be at least an increase of three pies per rupee, that is to say, the rate of the lambardars' fees should be at least one anna



per rupee. Thus it will be only one-sixteenth part of a rupee, i.e.,  $6\frac{1}{2}$  per cent., which is not too much. If you go to any shop to purchase an article you will get at least 10 per cent. discount, I am not demanding even  $7\frac{1}{2}$  per cent., rather I am content with only  $6\frac{1}{2}$  per cent. I hope that no objection will be raised to this modest suggestion of mine and it will be accepted by the Government without the least hitch.

**Khan Bahadur Maulvi Fasih-ud-din:** I spoke on this particular subject yesterday and I noticed that Mr. Lane replied to certain observations that I had made in connexion with this particular matter by saying that if the zamindars of Muzaffarnagar wanted this fee to be raised from nine pies in the rupee to one anna in the rupee they were not justified in doing so, as he was aware of the condition of Muzaffarnagar and the zamindars of that district were contented with nine pies in the rupee. I am afraid that he misunderstood me altogether. I never said that zamindars of Muzaffarnagar wanted that increase; but I said that the Muzaffarnagar association of zamindars, which represents or at least claims to represent all the zamindars of the province, had made that request repeatedly to the Government. I will not repeat what I said yesterday, but I will point out one more fact, and I believe that the Council will look upon it as a convincing fact. We find from the various annual revenue administration reports that the amount of unrealized arrears of rent comes to about 85 to 95 per cent. and varies from year to year and much of this arrear becomes unrealizable after the lapse of three years. The rate that is allowed to the lambardars is nine pies per rupee, or about Rs. 4-11 per cent. and statistics show that the zamindar naturally loses about 10 per cent. on the average in the shape of unrealizable arrears. This being the case, the rate of Rs. 4-11 is certainly ridiculously inadequate and the increase of three pies which is demanded by the honourable mover of this resolution, is after all a very small demand. I think the Government should not hesitate in accepting this motion of my friend Mr. Obaid-ur-Rahman.

**Rai Bahadur Babu Mohan Lal:** I beg to support the motion of my friend Mr. Obaid-ur-Rahman. The case of a revenue lambardar in which he has to collect land revenue from pattidar, is much safer, and still he is allowed 5 per cent. of the Government revenue, and in the case of the canal lambardars they have to collect canal revenues from tenants. They are very large in number and small dues have to be collected from a number of tenants, and they are allowed nine pies per rupee, that means Rs. 4-11 per cent. Now, if we compare the two cases, we find that the revenue lambardars are in a much better position than the canal lambardars. There they are given summary remedies under the Land Revenue Act to realize land revenue due from their pattidars and there they get their cost of application and everything, and the tahsildar realizes it very easily from the pattidar. But here they have got very great difficulties in realizing the canal revenues, and in the case of tenants it is a common experience of every landlord that he cannot realize cent. per cent. even in the best of years, and I do not see how these canal lambardars can realize cent. per cent. of canal revenues every year. Now, they have taken so much risk, and they are demanding one anna per rupee. I think their demand is "

[Rai Bahadur Babu Mohan Lal.]

reasonable, and the Government should not grudge this very minimum demand of  $6\frac{1}{2}$  per cent.

**Thakur Hukum Singh :**

नहीं मैं अंग्रेजी में नहीं बोल सकता हूँ। मैं हुजूर से दरखास्त करूँगा कि मुझे उर्दू में बोलने की इजाज़त दी जाय। मैं तरमोम करना चाहता हूँ। मैं बअदब यह अर्ज़ करना चाहता हूँ कि पिछले बहस के अन्दर यह बात मैंने कल बतला दी थी।

तरमोम मेरो यह है कि जो नम्बरदारों को फीस दी जाती है यानी ९ पाई फी रुपया वह उनका हक है ऐसा न होना चाहिये कि ९० दिन के अन्दर आब-पाशी का मुतालबा दाखिल करने पर हो वह उसके पाने के हकदार हैं। बल्कि हर हालत में उनको यह फीस मिलनी चाहिये। जब वह आबपाशी का लगान वसूल करने का काम करते हैं और उसके मतालबे (dues) उनके ज़िम्मे वैसे ही होते हैं जैसे मालगुजारी के हैं। नम्बरदारान मालगुजारी Land revenue पर Revenue Act के मुताबिक अपनी फीस पाने के मुस्तहक़ बिला किसी क़ैद के होते हैं तो कोई क़ैद इस आबपाशी के फीस पाने के लिये नम्बरदारों के वास्ते न रखी जाय कि वह सिर्फ़ ९० दिन के अन्दर ही मुतालबा दाखिल करने पर पास करें बल्कि हर हालत में जो कुछ उनका हक़ है यानी फीस को वह पाएं क्योंकि वह अपनी जेब से रुपया अदा करते हैं। यह बहुत ही मुनासिब होगा कि उनका हक़ जो मुक़र्रर है या मुक़र्रर किया जाय उसको उनको हर हालत में दिया जाय यही मेरा amendment है इस लिये मैं यह अर्ज़ करूँगा कि जब नम्बरदार इस रक़म को अपनी जेब से अदा करते हैं तो वह बहुत नुक़सान उठाते हैं तो उनको कुछ फ़ायदा भी होना चाहिये। एक आना फी रुपया जो मुक़र्रर किया जा रहा है उनको बतौर फीस के ज़रूर मिला करे।

*The Council here adjourned for lunch after the recess.*

**Babu Shyam Lal :** I rise to give my support to the motion moved by my honourable friend there. I think it is acknowledged on all hands that cent. per cent. realization is impossible. Bad debts have to be taken into consideration everywhere. Even in the case of the estates under the court of wards, I think, if I am not wrong, an allowance of 10 per cent. is made for bad debts. I think it stands to reason to expect that there will be bad debts in the case of canal dues also; nobody can neglect it. But here no allowance is made for bad debts. The lambardar gets only nine pies in a rupee, which comes to less than 5 per cent. while in the case of land revenue he is allowed 5 per cent. from his brother zamindars. In these circumstances I think the request made by my honourable friend Mr. Obaid-ur-Rahman Khan is very reasonable and an allowance of one anna per rupee should be given. With these words I beg to support the motion.

**Mr. H. A. Lane:** There is one point which I think perhaps has escaped the notice of honourable members in connexion with these

lambardar's dues, and that is a change which has been made in the position by the new Agra Tenancy Act. One ground on which it is alleged that the dues are inadequate is that the lambardar experiences great difficulty in realizing the dues from the tenants or sub-tenants. The position under Act II of 1901 was that canal dues were an arrear of rent, but there was a ruling of the Board of Revenue to the effect that the lambardar could recover this arrear of rent only by suit. He could not distrain; he could not eject; and therefore the lambardar was to a great extent powerless to compel payments of these dues. This point was considered when the Agra Tenancy Bill was before the Council in July last, and in consequence of the decision then taken a new section was added which did not appear at all in the Agra Tenancy Act of 1901; and that section is section 136. It reads as follows:—

“Any person to whom any sum is due on account of canal dues under the sections of the Canal Act shall in respect thereof have all the legal remedies provided in this Act as if such sum were an arrear of rent.”

That is one point. Before, the lambardar could only sue for arrears. He now has all the legal remedies as if the sum due were an arrear of rent: in other words, he can distrain the crop; he can eject the tenant. The section then goes on to say:—

“and where the land for which the sum is due is sub-let, he shall have those remedies against the tenant and sub-tenant jointly.”

In other words, if the tenant has sub-let his land and the sub-tenant fails to pay the canal dues, the lambardar can get rid of not only the sub-tenant but also of the tenant-in-chief. That, Sir, is a very extended power indeed. It gives the lambardar a much stronger lever which he can bring into use against defaulting tenants and it puts him in a very much better position than he was in before. It may have been the case previously before this new provision became law that the lambardar was on occasions out of pocket over these dues, but with these remedies I think the cases will now be very rare in which a tenant will not pay up his canal dues promptly and fully. The tenant in most cases will be either an occupancy tenant or a statutory tenant. He has a life-interest in his land and if he does not pay up his dues now, he runs the risk of losing very much more valuable rights than he had before. This remedy was provided specially in order to satisfy the complaint which was made that the lambardars were not in a fair position in this respect, and I am sure the honourable members will agree that this new provision has materially changed the situation.

**Shaikh Muhammad Habib-ullah:** The only answer that has been given by Mr. Lane is that the position of the lambardar under the new Tenancy Act has considerably improved as regards the realization of these canal dues. This is not an answer to the demand for an increase of fees for the collection of these dues. In the first place it is inadequate and below that which is allowed to the lambardar who pays land revenue after collecting it from the defaulting co-sharers. I should like to ask the Hon'ble the Finance Member to suggest what is the remedy of a landlord against a tenant who abandons his holding or who leaves the village or who dies. In this case there is no

[Shaikh Muhammad Habib Ullah ]

question of writing off. We have got to pay the whole amount. Then, the difficulty in realizing rent from a tenant is twice as much as that in realizing land revenue from the defaulting co-sharer. The process of ejectment and of institution of suit is much more complicated than the one indicated by the honourable member here of summary realization by means of an application from a defaulting co-sharer. I think the rise in the fee suggested is very microscopic. I know that every zamindar has to spend at least from Rs. 7-8 to Rs. 10 per cent. on the collection, then why should the Government be so stingy as to cut the ordinary expenses on collection in the case of a lambardar who collects the amount and takes upon himself the risk of the amount which he may have to write off? This is a very very simple proposition and I hope the Government will consider it and accept it.

**The Hon'ble Sir Sam O'Donnell :** I meant to have spoken before the honourable member had replied, but I missed my opportunity. I will now endeavour to supplement what Mr. Lane said. Mr. Lane has pointed out that under the new Tenancy Act increased facilities have been given to the lambardars for the collection of canal dues. That is an important consideration, but it is not the only consideration. A further consideration is this that this increase would cost us about Rs. 1,80,000 per annum. Now Rs. 1,80,000 is a substantial sum and before we can agree to sacrifice that sum we must be satisfied that there is really a strong case for making this enhancement. Well, Sir, after all what is the real test? Is there or is there not any difficulty in getting lambardars? Is there any lack of lambardars? I am informed that there is no lack of lambardars and that seems to show that at the existing rate people do find it worth while to take the post of lambardar. The sums received by the lambardars are quite substantial, they amount to Rs. 5,43,000. We ourselves spend on the whole collecting establishment only Rs. 4,57,000 and pay Rs. 5,43,000 to the lambardars. They, of course, do take the post voluntarily; there are certain risks, but they gain on the average. That being so, I am sorry to differ from the honourable members who have spoken in favour of the motion, but I really do not think that we should be justified in making this enhancement.

**Maulvi Muhammad Obaid-ur-Rahman Khan :** The argument which Mr. Lane has put before us is about section 136. I assure him that had that section not been before me I would have asked for a commission of at least 10 per cent. The thing which has made me content with 6½ per cent. is the section 136. It is not the fact that it has escaped my eyes but this very consideration has been before me. May I know what remedy he suggests about an heirless tenant? How are we to realize canal revenue from him after his death? While we are to pay and we will have to pay, the Government would never listen to the objection that the tenant has died heirless and therefore we cannot realize the canal revenue. We will be rather forced to pay it in every case and thus there will be a loss to the zamindar. I assure Mr. Lane that each and every zamindar suffers every time on that account, because he has to pay a certain sum from his own pocket. Certainly he can realize some of it afterwards but after a considerable long time. The second point that he has not mentioned is about the non-occupancy tenant. After all there are non-occupancy tenants also and they have not got the life interest

in land like those of occupancy and statutory tenants, so there also lies great difficulty. Rupees 1,08,000 more will be spent on this item and thus there will be little more expenditure on this item, but is it not right to spend a lakh of rupees for those who collect lakhs of rupees?

I did not want to be unfair, otherwise I would certainly have put forward a higher demand. I have made this small demand in the hope that it will be accepted by the Government without any hitch, though I was asked by some of my friends only a short while ago that I should make a demand of not less than 10 per cent. The Hon'ble the Finance Member said that he found no difficulty in getting lambardars. I say it is not the monetary consideration alone that compels us to accept that position, but such other considerations as I have already mentioned in one of my speeches yesterday, because we do not want that other undesirable persons should come in. Certainly we do not care for this monetary consideration very much. For smaller landlords it is very hard particularly, and I hope the House will have sympathy with them and that the Government will reconsider their decision and accept my motion, which is very modest indeed. With these words I commend the motion to the House.

**The Hon'ble Sir Sam O'Donnell:** What my honourable friend has said about heirless tenants reminds me of a story of Mr. Burn. Mr. Burn was at one time census superintendent and one of the enumerators said to him:—"What is to be done if we meet a man on the day of the census who is blind, deaf and dumb, how is he to be recorded"? Mr. Burn said: "There won't be many such persons," but the man replied:—"Nahin, bahut se hote hain." I have no doubt there are some heirless tenants, but I do not think their number is so large as to present any serious difficulty to the ordinary lambardar.

*The motion was put and adopted.*

**Pandit Iqbal Narayan Gurtu:** I beg to move a token reduction of Rs. 1,001 under the entire head.

I may say at the outset, Sir, that the object of my motion for reduction is not to discuss the deeds of commission and omission of the Irrigation department. We have discussed this sufficiently for the last two days. At least so far as I am concerned, my object is that we should now turn our attention more to the future than to the past, and to formulate, if possible, schemes of our future activity. I am sure this diversion would be liked by the Council and certainly by honourable members on the Government benches.

**Kunwar Jagdish Prasad:** No.

**Pandit Iqbal Narayan Gurtu:** I am sorry that the Education Secretary is the only solitary exception in that bright galaxy of official members. Evidently he still feels depressed on account of Government's defeat this morning. Now my object in drawing the attention of the Council to the matter is to try to formulate public opinion both inside the Government and outside as regards our future development in irrigation. As a layman I speak with considerable diffidence, but I shall

[Pandit Iqbal Narain Gurtu.]

try to put before the Council the views of a layman with regard to our great irrigation works. Let us see what is the extent of our achievements so far in this direction. Let us first of all see what is the area which is at present under irrigation compared with the total area under cultivation. If we include irrigation from wells and all other possible means, we have so far been able to provide irrigation for about 30 per cent. of the cultivated area and out of that irrigated area only a little over a quarter is supplied by canal water. Of course with the construction of the Sarda a large area would come under irrigation—about a million and a quarter acres, I believe. That will increase our irrigated area by means of canals to nearly a third of the total irrigated area in the near future. The position at present is this, that, so far as our big rivers in the province go, they have been sufficiently tapped. And we are told by experts that there is not much of a possibility of the big rivers being tapped any further, at least to the extent that the canals could be “productive.” Nor will any extension of the present productive canals be very profitable. The areas at the tail end of distributaries, if the distributaries are extended further, will not benefit so much now, and the cultivator would be feeling all the time the pinch of shortage of water. Therefore, so far as any large extension of the present productive canals goes, expert opinion seems to be that there is not much room for considerable extension. What are then to be our activities in future? It seems to me that the only extension possible would be in two or three directions. The first that one can think of is, of course, the “protective” canals. The difference, as honourable members know, between productive and unproductive canals is that canals which are able to pay after ten years of construction the establishment and maintenance charges and a reasonable rate of interest are called productive. Those that are not able to cover interest and maintenance charges are unproductive. So any extension in the direction of further canals can only be in the direction of protective or unproductive canals. From the point of view of the department that is a line of activity which they cannot naturally feel very enthusiastic about because they say these projects will not pay. We have to see whether there is any other alternative which we can place before ourselves. Having already tapped our big rivers, the other alternative that would suggest itself to one would be other natural resources that may still be left untapped. One possible resource that we could tap would be the small streams. These smaller streams are being used even now by cultivators for lift irrigation. We have to see whether we can do anything in that direction to help to bring a larger area of cultivation under irrigation by methods which would be cheaper than lift irrigation by hand. I dare say if this matter is given careful consideration it would be possible for the department successfully to evolve a scheme of pump irrigation from these smaller streams. It is true that it would be a little more costly than the schemes of irrigation from our big rivers. Perhaps the Irrigation department would feel some hesitation in taking up the smaller streams unless the rates for irrigation by stream water are fixed higher than the canal rates. I am not as a layman in a position to express any definite opinion on this matter; but approaching the whole question from a common-sense point of view, it seems to me that in order that this scheme should be even marginally

productive, irrigation rates thereon will have to be, to a certain extent, higher than the present canal rates. But the question is how far would the cultivator consider that he will be really benefited from such a scheme. The matter will have to be carefully gone into, and if the cultivator finds that the present hand-lifting methods are more costly and that the pumping methods which the Irrigation department may be able to introduce would be comparatively cheaper I dare say that in course of time the cultivator and the zamindar will find that it is in the long run more profitable to adopt modern methods in place of the old system of lift irrigation by hand. That seems to me to be one possible direction in which we can extend our activities in the future.

The third would be naturally the wells. In that very interesting report which the Agricultural department has issued this year I find that this question has been dealt with at length. With your permission, Sir, I would read one or two extracts from that report. It says :—“Several millions of dry acres are thirsting for irrigation water present in abundance in the sub-soil of the United Provinces, which have been specially favoured by nature in this respect. Underground almost the whole province is one vast reservoir, probably thousands of feet deep.” Then the department goes on to say :—“Necessary experience has now been gained and the time appears to have now arrived for a review of the whole situation as a preliminary to a much bolder, forward policy.” Now, Sir, there is this natural resource of sub-soil water which could be tapped in future. The Agricultural department has undoubtedly turned its attention to that; but everyone will admit that the resources of the Agricultural department are very, very limited and it would not be so easy for the Agricultural department to have such a large expert agency at hand; nor has it sufficient money at its disposal just at present to undertake it. Of course all that they are doing is in the right direction; but the problem for this province is—“Are we to go at the slow pace at which we have been able to tap the sub-soil water? Or are we to take up bigger schemes which would fructify in a shorter period than is possible if the matter is left merely to the Agricultural department and its resources?” It seems to me that if we want that we should have a larger area of cultivation and intensive cultivation, then the problem of well irrigation will have to be taken in hand on a much larger scale than it has been hitherto done. My submission is that it can be better done by the Irrigation department. I may at once tell you what is my hesitation and fear in making this proposal. My fear is that the Irrigation department is a Reserved department at present and I should not be understood to mean that I would in any way like that our beneficial activities in this direction should be removed from the Agricultural department and placed in the hands of the Irrigation department. On the contrary what we have to aim at is that the Irrigation department and the Agricultural department should work as handmaids in future. The honourable member for Partabgarh had, in connexion with quite a different matter, drawn the attention of the House to that point, and the Hon'ble the Finance Member asserted that there was complete co-ordination between the Irrigation department and the Agricultural department. Well, Sir, even assuming that in minor details it is

[Pandit Iqbal Narayan Gurtu.]

so, my submission is that for big schemes of the future it would hardly be possible for the two departments to work closely together. Anyhow, I do not wish to labour this constitutional aspect of the case. I take it that in future, sooner, as the honourable member for Partabgarh has said, than the honourable members opposite would like it to be, the Irrigation department will also in course of time be a transferred department. In fact, the big programme of the future indicated by me would be a stronger argument that the Irrigation department should also be made a transferred department. I do not wish to go into that question just at present. My whole object is that, if we wish that a larger area of cultivated land should come under irrigation, we have to think out some methods by which we could achieve that object much sooner. There is the question then whether our activities are in any way practical in the directions which I have pointed out. I would ask the Government to help the non-official public and to focus public opinion on the point as to how far it is possible to undertake big schemes of irrigation from smaller streams and from wells. I do not wish to enter into the disputed question of canal rates at present. But I dare say there is a way of taking the public into confidence there also. After all, self-interest is the chief guiding factor in human nature. If the Government succeeds by placing its schemes before the public and tries to win over the public by showing them how they will be really benefited, I dare say it will be possible for the cultivator and the zamindar to see clearly where the advantage lies. And if he finds that it would be cheaper for him to pay a little higher rates and to have the advantage of pump irrigation from streams and from wells, I dare say that the cultivator would not hesitate to give even higher rates. So my object in bringing this motion before the House is not that I expect that the Government will be ready with any cut and dry scheme. Nor do I wish the Council to commit itself to anything of the kind. My whole object is that by introducing this question we may try to educate public opinion on proper lines and win public sympathy and public confidence. I do not want that this question should be approached in the spirit in which many administrative questions are approached. Whenever any information is required, we are told that the matter is under consideration. Sir, it seems to me that these matters are such in which the Government should take the public more and more into their confidence. The Irrigation department should not consider itself merely as an agency to realize revenue, but it should regard itself as a department whose main business is to increase the production of national wealth. If the Irrigation department would approach the matter from the point of view from which I have placed it, I am sure it will be able to win the sympathy of the public in a greater measure than it has so far done.

**Khan Bahadur Hafiz Hidayat Husain :** I will follow the example of my friend the representative of the Allahabad University and shall content myself with negotiation of practical questions. My friend has confined himself to the future working of the department, I shall restrict myself to its present activities. My object in speaking on this motion is to point out certain defects and drawbacks in the working of the canal system which militate against its usefulness and on account of which the poor tenants are put to a good deal of trouble. In the first



place, the water that is supplied to tenants by the Irrigation department is not made available to them when they need it. Such was the state of things last year, and indeed this year also the same thing has repeated. Water for *rabi palaiwa* has been coming so late that double crop peas could either not be sown or were spoilt or were considerably behind time. It has been an oft-repeated and always unheeded complaint of people in rural areas that the canal department do not supply water to the cultivators at the psychological moment. When the cultivators make this complaint to the patrol—the bureaucrat of the department—no notice of it is taken, with the result that the tenants have either to let their crops die or to depend on the courtesy of brother tenants for water from wells if it be available. Now, in the later case when the tenant has been fortunate to take water otherwise than from canals, the canal department working on a long standing intimation lets out the water, and the result is that the crops for over-irrigation die. If, therefore, water is supplied to the cultivators at the right time, a lot of good can accrue to them, while if water is given to them when they do not want it, the usefulness of the Irrigation department is considerably impaired.

The next point is that distributaries and drains are not kept in proper condition. At least one-third of them are silted, with the result that when water is let into these distributaries and drains, it not only takes quite a long time to get to their tail-end, but at least 33 per cent. is wasted initially, and when it does reach the tail ends it percolates only in drops, with the consequence that only a very small area of land can be irrigated.

My third point is that there is a great deal of wastage of water, and various causes contribute to this. The first is that in many places there are no culverts, and when a cart crosses the drains, a passage is made and the whole water is run out, a tank is made barring the paths and occasionally does a lot of harm to adjoining fields. The second reason of wastage is that when water is not required for irrigation purposes it is let into the canals, remains unutilized and is wasted. If new tanks are constructed for the conservation of this water, it can be used by the agriculturists at the proper time.

My fourth point is that irrigation is mostly done by means of flow. Lift irrigation is only here and there. The worst of this system of flow irrigation is that the cultivators let in the water and return to their homes, the fields are inundated and the crop is spoiled. If we have lift irrigation, the tenants will have only so much water as they require.

My fifth point is that in many places drainage cuts are required. The construction of canals has greatly upset the natural drainage of water, and it is up to the canal department to restore the *status quo ante*.

The sixth point that I wish to make is that the canal rate is yet very very high. Something was said about it yesterday, and last year too this matter was taken up. A Bill was introduced to regulate the canal rates. The Bill passed the stage of the select committee, but after that we heard nothing about it. I strongly protest the action of the Government in shelving that Bill. The desire is that irrigation rates shall be

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controlled by this Legislature, and you, Sir, took a very active part in this matter in your non-official days. Nothing, however, has been yet done in this matter. I would strongly insist that this Legislature should be given control of the irrigation rates that are levied on the tenants.

There is one other point. It is with regard to my own district of Fatehpur. The Lower Ganges canal traverses that district. That canal only irrigates the southern portion of the district, leaving the bulk of the district unirrigated. If a bifurcation is made at, say, near Bindki, not very much will be the cost and the district, which is purely and simply an agricultural district will be secured against famines.

You, Sir, perhaps will allow me here to refer to the Sarda canal, though for a different reason. In the Sarda canal executive officers—deputy collectors—are deputed for the purpose of acquiring land. The complaint is that these deputy collectors are put under executive engineers. These executive engineers may be men of only 2 or 3 years' standing while they control the work of a deputy collector of 20 years' standing. Is that just? It might be said in reply that the deputy collector is under subordination to the district magistrate. But is it or is it not a fact that the career of many deputy collectors has been blighted on account of the adverse reports of executive engineers. I think a matter like this needs the attention of the executive for restoring confidence and should be forthwith remedied. These deputy collectors should have nothing to do with the executive engineers in the matter of acquisition of land which should be a matter exclusively within the authority of the district officers.

**Dr. Shafa'at Ahmad Khan :** I wish to bring to the notice of the Council two points. In the first place I should like to ask the Government as to their policy regarding unproductive canals. My honourable friend, the member for the Allahabad University, told us what the unproductive canals are. What is the distinction between unproductive and productive canals? The following is the test of unproductive canals :—First all tanks, embankments, canals which before April 1, 1919, paid interest at 4 per cent. In the second place, all canals and embankments which between April 1 and August 1, 1921, paid interest at 5 per cent. Lastly, Sir, those canals which after April 1, 1921, paid interest at 6 per cent. All these canals are called productive canals. Other canals are called unproductive. Now, Sir, as regards unproductive canals the other important thing to be taken into account is that 10 years after the construction of a canal, if the net revenue is less than the percentage specified above and they show a marked revenue deficit and do not come up to that standard, they are classified as unproductive. Generally every canal is given a chance for another three years, so that altogether thirteen years are allowed before a productive canal can be relegated to the position of unproductive, and *vice versa*. Now let us take the position in the United Provinces. In the United Provinces I calculate that the amount invested on unproductive canals is about four crores and sixty-four lakhs, and the revenue deficit on these canals in 1925-26 was Rs. 1,74,235. That was, Sir, in 1925-26. Then in the last three years, that is 1922-23, 1923-24, 1924-25, there has been a series of deficits—not only in one year or in two years but a succession of deficits. Take for example 1922-23. In that year the revenue deficit was Rs. 1,11,228.

In 1923-24, Rs. 1,66,065, and, lastly, in 1924-25, Rs. 2,83,461. This shows that the unproductive canals are not paying their way. Of course they cannot be expected to pay their way. When they were constructed the Government constructed them on the distinct understanding that they were not to yield a very large amount of profit. To this I have no objection. I think that taking the various circumstances into account the Government are perfectly justified in constructing these canals, but what I should like to ask the Government is this. What is their future programme as regards unproductive canals? Are they, or are they not, going to launch further unproductive canals in the various parts of the province? What further losses are they prepared to sustain on the construction of those canals? I know that even in the productive canals there has been practically a deficit. Take, for instance, the Rohilkhand canal. In it the net revenue was only 1.08 in 1925-26. The revenue from the Agra canal was 0.46, so the Agra and Rohilkhand canals will both have to be classified as unproductive canals, though the Government of India have relaxed this condition in the case of these two canals, and they will continue to be classified as productive canals for a few more years. Now the principle upon which the Irrigation Commission recommended the construction of these canals is perfectly clear. The Irrigation Commission said in 1902: "The important question of the value of protective irrigation works in preventing or mitigating the cost and horrors of famine has next to be considered. We have already observed that, *apart from the question of famine protection*, there is no reason why the State should accept a permanent charge on the revenue for the sake of increasing the productiveness of land belonging to private owners, and that at any rate such charge should be limited to the amount which may be recouped by the share of the increased produce which will come back to it in an indirect form. The reservation in respect of famine protection is, however, all-important. The obligation on the State to incur whatever expenditure may be necessary to save life during famine involves future liabilities which cannot be evaded, and of which full account must be taken. We have, therefore, to consider what immediate expenditure on unremunerative protective works may be justified by the reduction that it will effect in the amount of these future liabilities; or, in other words, what reduction in the future direct cost of famine to the State may result from a given expenditure on such works. For the present we may disregard the indirect cost of famine to the State, and the loss and misery which famine imposes on the people; and confine ourselves to the purely economical question of the comparative demands on the tax-payer, involved in an immediate expenditure on protective irrigation works, and in the future relief of the distress which may be anticipated if these works are not constructed." The Irrigation Commission then suggested a formula to the following effect. "The best scale which we can suggest is that afforded by direct protective value of the irrigated acre. It may be estimated by considering, in the light of past experience, the probable cost of famine relief in the future, the population the area usually cropped, the area which may be regarded as protected, and minimum area that should be protected in order to tide over a period of some drought." The calculation of the Commission suggested the following formula symbolically:  $x = \frac{F}{Pn-a}$ . Where

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$x$ =the direct protective value of an irrigated acre, is the capitalized value, at 25 years purchase, of the saving in average annual cost of famine which will be effected by every acre brought under irrigation.  $F$ =estimated total cost of famine in the given tract for a period of 25 years, or a quarter of a century.  $P$ =population of the tract, with necessary addition for prospective increase.  $N$ =area in acres which should be protected by irrigation for each head of the population.  $A$ =area in acres already protected. The co-efficient  $n$  will vary in each tract, but for insecure tract it will probably never be less than 0.3 or more than 0.5. The Commission then went on to say that "it must not be supposed that we estimate the probable net cost of protecting any tract which is now liable to famine at a sum which is equivalent to three times the probable expenditure on famine relief. There are, no doubt, many tracts in which protection cannot be provided at a less cost than this, and they are generally the tracts in which protection is most urgently required. But there are others in which it may be hoped that the unproductive outlay will be much less." They stated that "in all tracts, in which the cultivation is at all insecure, protective works may be sanctioned without hesitation whenever the capital cost is not likely to exceed thirty times the net revenue, or whenever a net return of more than 3 per cent. on the capital outlay may be anticipated." When a lower return than this is anticipated, it will be necessary to pay closer attention to all the circumstances of the case, and especially to the urgency and the certainty of the protection which the work is designed to afford. That was a certain definite and unambiguous formula they proposed. Let us see the application of the formula, what specific principle they propounded with regard to the future construction of these works. Briefly, it may be said that if the capital cost did not exceed thirty times the net revenue, or whenever a net return of more than 3 per cent. on the capital outlay is expected, then in that case the Government would be justified in the construction of these canals. This is only a rough and ready statement of their proposition; but, keeping this in view, I should like to ask the Government what further scheme they have got of the expansion programme of unproductive canals in these provinces. Take the Bundelkhand lakes and canals. Those lakes have been giving a series of pronounced deficits for a series of years. In Bundelkhand I find they have got the Seori lake. There is a net revenue deficit of Rs. 83,49,000; there are also other deficits in various unproductive canals. There is a deficit of Rs. 36,061 in Dhasan canal and a deficit of Rs. 29,515 in Ken canal, a deficit of Rs. 70,344 in Ghagar canal. These are all for the year 1925-26. I am not going to mention all the lakes and tanks in the various parts of Bundelkhand. Suffice it to say that the policy of the construction of these canals must be examined anew. What, therefore, I should like to ask the Government is on what principle are they going to act in the future? What further parts of these provinces are going to be irrigated by the productive or unproductive canals? How far and to what extent are they prepared to spend money on the construction of such works? Let us find out, let us see what plan, what scheme they have got? The next point to which I should like to draw the attention of the Council is the need for the provision of irrigation facilities in Moradabad and Budaun districts. It was only about a month ago that I put a series of questions

upon the need for provision of irrigation facilities in those districts. The replies of the Government, I am sorry to say, were unsatisfactory. The Government said that they did not intend to provide any facilities to those districts, because the Eastern Ganges canals would be the only means by which those districts could be provided with ample irrigation facilities and all the water in the canal, roughly, is now utilized during the *rabi* season by the Western Jumna canals, while *kharif* inundation would not pay its way. I submit that the Government in their reply did not pay sufficient regard to schemes suggested by the Irrigation Commission. The Irrigation Commission in volume II of the report dealt with this question, and stated as follows:—"The Eastern Ganges canal and the Ramganga canal; projects for both of these works were prepared more than thirty years ago for the irrigation of the tract lying between the Ganges and Ramganga rivers in the districts of Bijnor, Moradabad and Budaun. The high level of the subsoil water in the tract to be irrigated, the contention that water would be but seldom required for the *rabi* and still more seldom for the *kharif* crops, the consequent improbability of securing any adequate return on the expenditure, and the facility with which temporary wells can be constructed, led to the abandonment of both schemes. It may be quite impossible to procure a perennial supply for the irrigation of this tract, and even if a supply could be procured, one or other of the obstacles owing to which the various projects were condemned may prove insuperable; but we do not think that the possibility of affording further protection to the tract by means of canal irrigation should be finally abandoned on the basis of information collected over thirty years ago. In spite of the high spring level in certain parts and of the facilities for constructing temporary wells, there can be no question as to the insufficiency of the protection afforded by the existing means of irrigation. Distress from the failure of rainfall appears to be as frequent in Rohilkhand as in any part of the province. It is no doubt, as a rule, less intense, but in the district of Budaun the rainfall has been seriously deficient in no less than ten years out of the fifty-two for which records are available, and at least three of these years were years of famine, and two of more or less severe distress. In Moradabad only 19·17 per cent. and in Budaun only 24·4 per cent. of the normal cropped area is at present protected by irrigation." They, therefore, suggested that the question of introducing canals should be considered again, and though they thought that a canal from the Ramganga would not afford a sufficient supply for the *rabi* season, they opined that it might be possible to provide a fair amount of protection at a reasonable cost by means of a *kharif* inundation canal taking off from the left bank of the Ganges above or near the headworks of the Ganges canal. They also said:—"Eventually when every possible means have been adopted for economizing water on the Ganges and Eastern Jumna canal, or if any of the Sardar water can be carried into the Ganges, it may be possible to direct some of the cold weather supply of the Jumna river for the irrigation of *rabi*, and perennial crops in parts of these districts where the spring level is not prohibitively high."

The Commission made another suggestion, which is well worthy of consideration. They said:—"A share of the supply which the Up"

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Agra canal has now to pass on to the Lower Ganges canal could be diverted to the Agra canal through the Hindan cut without affecting the supply of the Upper Ganges canal in the way that is now affected when in times of tight supply it is called upon to assist the Agra canal. Nor would it be any longer necessary to pass on to the Agra canal any portion of the Eastern Jumna canal's share of the Jumna supply. Moreover, were a sufficient volume made available from the Sarda, there would no longer be any difficulty in diverting a portion of the Ganges supply into the proposed Eastern Ganges canal; and the connecting channel might also be utilized for supplementing the often insufficient supplies of the Rohilkhand canals and for irrigating Moradabad and Budaun. It may also be possible to take a supply from the Deoband branch of the Ganges canal into the lower portion of the lower portion of the Jumna-Hindan Doab, thus setting free a share of the Eastern Jumna canals supply for the protection of the Hissar and Rohtak districts at the tail of the Western Jumna canal in the Punjab." The Commission added "we think it right, however, to refer to it as a proposal which, in view of its wide-reaching potentialities, should not be lost sight of if it be eventually decided that the Sarda supply cannot be fully utilized in the Ganges-Gogra Doab."

These recommendations of the Commission formed the subject of two experiments by the Local Government. One is called by the title of the Ramganga canal project. The project provided for a canal taking off from the left bank of the Ramganga river at Kalagarh in Bijnor and running in a south-easterly direction successively through the Afzalgarh pargana of the Bijnor district, the Kashipur pargana of the Naini Tal district, and the Thakurdwara and Moradabad parganas of the Moradabad district, tailing eventually into the Dhela Nadi near Pipalsana. A branch called the Bahalla will take off at mile 26½, and tail into the Ramganga river at Sheopuri. Mr. Lane, Assistant Engineer, drew up a most interesting report. As early as 1840 Lieut. Anderson had projected a line of canal on the same lines, and Captain Jones and Captain Cautley had examined it. The Board of Revenue in their letter to Secretary, Public Works department, dated October 27, said: "In the opinion of the Board the proposed scheme for the Eastern Ramganga canal will be of considerable benefit, and has their entire approval. The Board also approve of the rates which it is proposed to levy in the area commanded."

The commanded area was 23,611 acres; the cultivated area 147,275 acres; irrigated area 19,857 acres, and proposed new irrigation concerned 90,000 acres. The revenue expected would be Rs. 27,18,000 in a total of 90,000 acres. The arrears of interest would be finally paid in the seventeenth year, after which a net revenue of 2·2 per cent. on the total direct and indirect capital will accrue to the Government. I do not want to weary the Council with details of the number of insignificant villages and names, suffice it to say that the question was considered at length. The Government considered the report very carefully and the Board of Revenue gave their entire approval. They considered the question of the supply of water and, though I know that the Chief Engineer will not agree with me—he thinks I believe that the Ramganga river will not provide sufficient water—but they agreed that the amount of water to be derived from the Ramganga will be sufficient for the purpose of

supplying the canal. The other project is called the Sarda-Ganges-Jumna Feeder Project. The Sarda-Ganges Feeder Project has its head in the Sarda river at Solani Got near the foot of the hills and runs thence in a westerly direction to Moradabad, when it turns southwards to meet the Ganges at Rajghat four miles above the head of the Lower Ganges canal. Branches were proposed, which included a branch, called the Budaun and Islamnagar branches, at miles 132 and 139 respectively to irrigate portions of districts Bareilly, Moradabad and Budaun. The total amount of water supply available was calculated at 5,600 cusecs. The net revenue on the full development of irrigation amounting to 6.98 per cent. on the capital cost, and to 3.14 per cent. clear profit after deducting interest charges, there being a balance of net revenue over interest charges, ten years after the completion, of Rs. 91,36,369. This project seems practicable and is preferable to the other. It is more paying.

The question to be decided is this, will these projects pay or not? Well, I assert on the basis of the reports on both the projects that they will pay their way, that they will not be a serious burden or any burden upon the exchequer of these provinces. So that if the Chief Engineer, if the Irrigation department and if the Government does really show any interest, if they have the desire to start another experiment again and to see if they can find ways and means for irrigating the Moradabad district, they will earn the blessings of millions of inhabitants in those districts.

*During the above speech the Deputy President took the Chair.*

**Thakur Manjit Singh Rathor :** I do not desire to take up the time of this Council. I will only take this opportunity to explain to the Government that the present rates of irrigation are very excessive, especially in Dehra Dun where water is taken from the Dun canals. Members of this Council, in order to have some idea of our difficulties, should exactly know what the Dun canals are like. The Dun canals which give water in the district of Dehra Dun are generally 5 feet wide and the depth of the canals is at no place more than 3 or 4 feet. This can give some idea to the honourable members of this House as to the scarcity of water for irrigation purposes in the district of Dehra Dun, and now let us see what are the rates that are levied there. If I tell the honourable members that the rates per acre used to be before April 1, 1926, for garden produce Rs. 5-8 per year, and now they have been raised to Rs. 20 per year; the rates for sugarcane and tea used to be Rs. 6-10; and now they have been raised to Rs. 10; the rate for rice and poppy used to be Rs. 4 per crop, and they have now been raised to Rs. 7-8; as for sugarcane within municipal limits the rate used to be Rs. 5, and now it has been raised to Rs. 15, if I say before this Council that the increases and the enhancements that have been made are extremely unfair, I think I will not be overstating facts. We have heard of enhancements by 15 per cent., by 20 per cent. and even by 50 per cent., but enhancement and augmentation by 300 per cent., by 200 per cent. and by cent. per cent. is something most unheard of and most unjustifiable and something which cannot be defended ever by the Government members. I was pointing out that the facilities for irrigation in Dehra Dun are very scarce. I have got in my possession letters sent by hundreds of people in my district; they also spoke to me and I know from personal experience that water in Dehra Dun is not available at

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the proper time. The difficulties of the people who live in the villages and who are the real cultivators can well be imagined by members of this Council. Within municipal limits the irrigation rates have been raised as I have already pointed out, and the result was that a large number of people made emphatic protests to the Irrigation departments and some of them did give up taking water merely as a matter of protest, and I want to assure the honourable members that amongst these "some" there were not only Indians but Europeans also, and very responsible Europeans, municipal commissioners, and so on. Under these conditions I do not see how the Government is justified in raising the water-rates so excessively in Dehra Dun.

The point which should be borne in mind by the honourable members is that irrigation facilities in that hilly district are not as many and as plentiful as in the plains. When we consider the question of Dehra Dun and its difficulties, we should not misjudge the condition of the district by comparing the irrigation facilities that we have, for instance, in Lucknow or Allahabad or in places where we have got water from Ganges canals. In Dehra Dun we get water from very small streams, and the difficulties of the people who have to take water from these small streams can better be imagined than described.

As the honourable members are aware, the Agricultural Commission is touring all over India with a view to improve agriculture, but I want to tell the House that agriculture cannot be improved by theoretical methods. Indians are born agriculturists; Englishmen are not agriculturists. These people do not know except in theory what agriculture is. In England there is practically no agriculture, but India is an agricultural country to the backbone; the entire community is agricultural. Therefore the theoretical principles of agriculture that England wants to inculcate in India cannot serve our purpose and lead to progress of agriculture in this country. What is wanted is a reduction in irrigation rates; what is wanted is more facilities for proper manuring, and agriculture in India will improve. What is wanted is not higher irrigation rates and more and more difficulties in the way of the people getting water at the proper time. If honourable members will keep in view the points which I have made, I think they will be doing some real good to the country.

Before I close, I would again draw the attention of the honourable member in charge of Irrigation to the fact that in my district it is a very great complaint that irrigation papers are published only in Urdu. Unfortunately or fortunately the agriculturists belonging to Dehra Dun do not know Urdu; there the population is between 90 and 95 per cent. Urdu and most of them know only Hindi. Therefore it is highly desirable that in my district the Government papers regarding irrigation be published not only in Urdu but also in Hindi. I do not think Urdu should be obliterated, because those who know this language should also take advantage of it; but there is absolutely no harm if the papers are published in both scripts, so that those who do not know Urdu should also be able to stand on their own feet and understand the whole thing and may not be subjected to all sorts of minor tyrannies by the patrols and other subalterns of the Irrigation department.

With these observations I would request the Government to consider the case of Dehra Dun and the Dun canals and also of those who take water from the Dun canals for irrigation purposes as a special case and assess them with leniency.



Before I resume my seat, I would point out that some months ago a petition was submitted to the Government requesting the Government to reduce the irrigation rates to a figure that may be just, fair and equitable, but no action appears to have been taken so far and to certain questions notice of which I gave to the Government I have received no replies so far. I was told unofficially by a Government official that the petition did not reach the proper authorities so far. Well, who is to blame for that I would not say, but the petition, if it did not reach them till then, must have been received by now. Government should make inquiries why the petition given to the district magistrate and signed by a large number of influential people, people who have got a stake in the place, has not received any consideration so far.

With these words I support the motion before the House.

**Khan Bahadur Maulvi Fasih-ud-din :** I want to make just a few observations. We are very thankful to the Hon'ble the Chief Engineer for having placed at our disposal a statement of the work done in connexion with the Sarda canal. He tells us that the whole of this canal has been completely dug up, that most of the projects along this canal have been constructed, that all the falls have been completed or will be completed in the near future. He also tells us that all the small branches of this canal have approached completion, and that the network of distributaries has almost come to an end. But he does not give us information about the only point about which we wanted information in connexion with this canal, i.e., the information as to when this canal will receive water. We know that this canal has been under construction for the last five or six years.

**Lala Nemi Saran :** Are we discussing the Sarda canal or open canals?

**The Deputy President :** The demand No. 8 is under discussion.

**Lala Nemi Saran :** Not the Sarda canal?

**The Deputy President :** The question of Sarda canal has been referred to by various honourable members.

**Khan Bahadur Maulvi Fasih-ud-din :** This canal has been under construction for the last five or six years and the cultivators labour under all the disadvantages about the transport of manure, etc., which are attendant on the construction of the canal, but we are not as yet informed as to when water is likely to be expected to come into this canal.

The other point that I wish to speak about is that the number of bridges along this canal are very few and far between, and my information is that bridges are situated at a distance of one mile. This is rather a very large gap and I suggest that they should be situated at a distance of half a mile at the outside.

Another point which I wish to discuss is about the desirability of flow and lift irrigation. My friend Mr. Gurtu has advocated the adoption of this system of flow irrigation in its entirety, but my honourable friend Khan Bahadur Hafiz Hidayat Husain has pointed out the defects of the flow system. I think that the truth lies midway between the two theories. There was a time when most of the irrigation along these canals was lift—about fifteen or twenty years

[Khan Bahadur Maulvi Fasih-ud-din].

ago—but there was a hue and cry that lift irrigation was unsuited to the condition of the cultivators, and I remember that there came a change in the policy of the canal department which gradually changed all the lift irrigation into flow irrigation as far as possible. I submit that this change in the policy, too, has not proved to be very beneficial. In my opinion flow irrigation is not suited to tracts which are low lying or damp. It is suited in the case of tracts which are highly situated or which are sandy and which require a good deal of water for irrigation purposes. That is all what I can say on this point.

Another point that was raised by my honourable friend Dr. Shafa'at Ahmad Khan was about the project of irrigation canals in the districts of Moradabad and Budaun. He has mentioned two projects, viz, the Sarda canal project and the Ramganga project. The first project is out of question. As to the Ramganga project I understand that this project was started several years back, that is, about fifteen or sixteen years ago, and its execution is still hanging fire. I do not know the reason why this project was not put into force, especially when we consider, as has been said by Dr. Shafa'at Ahmad Khan, that Moradabad and Budaun are districts in which irrigation is so scanty. I can say about Budaun that the irrigated area in this district was only 15 per cent. at the time of the last settlement. It may have risen to 20 or 22 per cent. now. This is a figure which, I think, is lower than the figure of any other district in the province and it is high time that the Government should now think of introducing some sort of irrigation project in Budaun and Moradabad. The last, but by far the most important, point to which I want to refer here is the one that has been hinted at by my friend Khan Bahadur Hafiz Hidayat Hussain. It is about the treatment which deputy collectors receive at the hands of the Irrigation department. It is, I am afraid, one of the freaks of administration that deputy collectors are placed under the control of executive engineers. They rise up to the grade of Rs. 1,200 and they enjoy the same status and position as any other officer in the province does. The executive engineers, with due deference to them are after all officers of the canal department, and as such they are naturally inclined to guard against any inroads on the funds of that department. As was stated by the Hon'ble the Finance Member the other day human nature is after all human nature and no one can quarrel with the executive engineers if they do not entertain much love for a deputy collector who is just and liberal in assessing compensation in connexion with his work. Sir, we have been regretting for the combination of executive and judicial functions and now we come across an instance of combination of the engineering and the judicial, and if this policy continues I do not know what other functions will the judiciary be wedded to in future. The deputy collectors, Sir, I submit, have been smarting under this slavish subordination of the district officer but in spite of that he does not want to have another boss in the shape of executive engineer. It is high time for Government to reconsider its policy in this matter and to relieve the deputy collector completely of the subordination of the executive engineer.

**Pandit Brijnandan Prasad Misra :** I have been preserving the points which I wished to bring to the notice of the Government for the end of

the demand. I observed the golden rule of silence, and on that account some of the points I wanted to speak on have already been discussed by some of the members more appropriately under the sub-heads of the present demand. There are, however, some points left. I would now like to bring these to the notice of the Government.

One point is that there is a general grievance amongst the draftsmen of the Irrigation department that whereas in the Buildings and Roads branch generally qualified draftsmen are taken, recruitment of unqualified men takes place in the Irrigation branch. I am told—I do not know how far it is true, but if this is true it is very regrettable—that the executive engineers generally take in persons who are not qualified and the recruitment is left entirely to their own sweet will. There had been, I understand, a class in the Roorkee College for draftsmen, and there is a very large number of draftsmen available who are qualified and who had taken the course at Roorkee. Those persons certainly should be given preference. The claims of these qualified men should certainly be recognized. Another point is that which has already been referred to by my honourable friend who comes from the same district as myself. It is the scarcity of bridges or passages over the channels of the Sarda canal. I had the luck or ill-luck to do a good deal of travelling in connexion with my canvassing this year, and I received a large number of complaints from villagers that there was no bridge over excavations to great distances. This leads to very great inconvenience, inasmuch as very often it is found that the habitation of the village is on one side and the fields are on the other side of the canal. They cannot cross, specially if they want to take their bullocks or carts. It may be said by Government that if there is a bridge at a distance of a mile or so it is not difficult to pass over that bridge, but I would like to submit that in that case the difficulty is very great because it is not easy to lay down a new rut for carts and the land required for the purpose may not belong to the same landholder who owns the village, and then there may be objections taken by the residents and landlords of other villages to allow carts to pass through their area.

Another difficulty which was brought to my notice was that in several places in the beginning land was marked off for the purpose of acquisition, but subsequently it was not acquired, and the persons who were the holders or owners of that land were paid no compensation for it. Here though land was not acquired it was kept out of cultivation under the impression that it would be acquired and compensation is certainly due and should be given for the loss caused by non-cultivation. I understand there are several claims already pending before the compensation officer and they have not so far been disposed of. The last point I wish to speak on is in regard to the Deoha river. I do not know whether from the standpoint of an engineering expert it is possible to utilize this for irrigation, but I would submit that if this tributary can be so used it would be helpful to the tenantry, and in addition it would also save the town from ruin. The river is assuming a rougher attitude every year, and every successive rainy season is making the position of the town more dangerous, so that there is danger that it might engulf it within its bosom and compel the population to go away somewhere else. In the interest of the citizens of Pilibhit therefore it is necessary that whose blessings the Government would certainly earn, that

[Pandit Brijnandan Prasad Misra.]

into consideration this question and ask some engineering expert to go into the question for the purpose of seeing whether it is practicable to train this river so as to utilize its water for the purposes of cultivation. With these observations I close.

**Pandit Govind Ballabh Pant :** I may state at the very outset that I do not intend to take more than a minute or two. Some time ago, I think it was in 1925, that the Finance Member made a complaint that Kumaun had been taking a disproportionate share of the time of this Council. I have a strong regard for his susceptibilities, and since then I have made it a point not to refer to Kumaun so far as it is possible. If I am sometimes constrained to do so, it is because our very existence has been ignored by a number of departments, and I regret, Sir, that since you have been elevated from the bar to the bench you have perhaps taken, if you will pardon my saying so, too serious a view of your responsibility, and on that account we have been deprived of the most vigorous advocate that Kumaun had in this House. Sir, the point to which I want to invite the attention of the department is the lack of irrigation facilities altogether in the hilly portions of Kumaun division. It is really curious that the root of all the rivers and streams in these provinces should be neglected in this manner. Even if the department had no love for the people, it should have felt a sense of gratitude for the hills from which all these springs come forth. As is well known to the Hon'ble the Finance Member, in the hills the extent of the holding is very small, the productivity is low, the people have to import the staple grains from outside in order to maintain their existence, and communications are difficult—the parts are precarious, even a little break in the rains lands the people into difficulties and it leads to scarcity or famine. Irrigation facilities can be easily provided, as there are streams all over, and one has only to mark out the track and to take the springs from the higher levels to the cultivated areas. I think there was a hydro-electric survey some time ago, but we do not know if the matter has been pursued further. I am also satisfied on the point that irrigation facilities could be provided at a small cost in the hills. It would not cost the department very much. I can also inform the Government that irrigated land yields at least double the quantity that unirrigated land does in the hills. So that if you levy a rate for the water supplied, perhaps you may get full value for the amount spent there. Therefore, I suggest to Government that they should consider the conditions in the hills and see if they can make any provision in this direction. It will relieve them of enormous expenditure which otherwise has to be incurred in improving the communications, in opening up lands out of forests for purposes of cultivation and for so many other things; for if intensive cultivation can be resorted to by means of irrigation facilities, perhaps one of the many difficult problems may be solved thereby. I will not pursue the matter further. I have only to join the honourable member for Cawnpore in his protest against the withdrawal of the Irrigation Rates Bill. I think that when the Bill had been committed to the select committee, the Bill as amended by the committee should have been presented to the Council. After all, we do not exist here only to register the decrees of the Executive. I do not think that we can do much effective work when we are inside, but the Government should at

least keep up appearances. As it is, at least out of regard for courtesy Government ought to have presented the report of the committee to the Council. They have got so many stages for withdrawing the Bills that they introduce, and if in the end they had found the thing unsuitable, perhaps His Excellency could have sent us his message, and if even then the good boys of the Council had not shown a better sense, then he could have withdrawn the Bill ultimately. That would not have been anything unusual. We would only have seen a repetition of the practice which has already been adopted here.

**Babu Shyam Lal :** I would draw the attention of the canal department only to a few points. I will mention them and will not make a speech at this late hour when we have more important business yet to be disposed of. I have found from personal experience that very little attention is paid to drain-channels. There is water-logging in many villages, and this results in super-saturation of soil which gives rise to saline effervescence. This does not only deteriorate the productive power of the land, but it tells upon the health of the peoples in the villages. This point should receive greater attention.

There is another complaint among tenants and villagers, viz., that the culverts, bridges or causeways, whatever name you call them, are few and far between. It is found that in villages large tracts of land are lying fallow, because no tenant would care to take the bullock and plough early in the morning, nay, sometimes in night, and travel about a mile and sometimes two *kos*, to reach that land, and further in some places the culverts are very badly repaired. One sees very often water oozing out from culverts that have already been repaired. Another point is that the drain-channels even in the villages where they are in existence are filled up. They are never dug up. I do not understand how the repairing is passed by the canal department. The last point to which I would draw attention is the one which has been hinted at by my friend Khan Bahadur Hafiz Hidayat Husain and commented upon by my friend Khan Bahadur M. Fasih-ud-din. I know it will be argued from the opposite benches that a deputy collector who is deputed on land acquisition work is not subordinate to the executive engineer. He is subordinate to the district magistrate. But I shall just now show to this honourable House how this happens in an indirect way. He may not be made a direct subordinate to avoid objection. Of course executive engineers are authorized to make confidential reports about the work of the deputy collectors. In this sense the executive engineer exercises a very great indirect influence over the deputy collector. It is inconceivable that a deputy collector finding himself so situated, and thinking, or rather being sure, that a confidential report will be sent by the executive engineer, will be able to act against the wishes of the executive engineer. It is the object of the Irrigation department to run the whole show as economically as possible. Knowing the wishes of the department, I think the deputy collector's position becomes quite unenviable. Khan Bahadur Maulvi Fasih ud-din has discussed this question from the service point of view. But I wish to register my protest from the point of view of the public. The first and foremost point of importance is that the public should have confidence in the judiciary and its impartiality. Taking all these into consideration, I ask the honourable members of this House to

[Babu Shyam Lal.]

will have confidence in a judicial officer about whom confidential reports are submitted by the departmental officer. It goes against the root of the administration of justice. It is against all canons of judicial jurisprudence. Therefore it is from the point of view of the public that I register my emphatic protest against this policy of the Government.

**Lala Nemi Saran :** There is a motion in my name. May I move it now?

**The Deputy President :** Can you not speak on the motion of Mr. Gurtu, motion No. 43. Is there any particular reason why you should move your own motion separately?

**Lala Nemi Saran :** I only want to say this. A number of issues have been raised on this motion. But I want to draw the attention of the Government specially to one point.

**The Deputy President :** You can bring in the same point on this motion. So many points have already been raised in this discussion.

**Lala Nemi Saran :** I think you better allow me to move my motion. I beg to move a (token) reduction of Rs. 100 under the entire head.

**Rai Bahadur Thakur Hanuman Singh :** May I rise to a point of order, Sir? When one motion is under discussion, can any member move another motion when this is not finished?

**The Deputy President :** The honourable member is quite right. However, I would suggest to Mr. Nemi Saran to speak on the motion of Mr. Gurtu.

**Pandit Iqbal Narain Gurtu :** Probably Mr. Nemi Saran is anxious to have a right of reply. In that case I suggest that he may move his motion after this has been disposed of.

**The Deputy President :** I think there is not a general right of reply for a mover of a token motion, and the Hon'ble the President has been giving the honourable members an opportunity to reply as a matter of courtesy.

**Pandit Iqbal Narayan Gurtu :** I am afraid you have misunderstood me, Sir. I thought that Mr. Nemi Saran was anxious to have the right of reply to his motion.

**The Deputy President :** I quite see that. I suggest to Mr. Nemi Saran that it will facilitate matters if Mr. Nemi Saran speaks on Mr. Gurtu's motion.

**Lala Nemi Saran :** I bow to your ruling.

**The Deputy President :** I have not given any ruling. I only made a suggestion.

**Lala Nemi Saran :** My object in moving this motion is to focus the attention of the Council to the question of irrigation rates only. Mr. Gurtu's motion dealt with a number of points among which, of course, there was also the question of irrigation rates. As the time at my disposal is very short, I do not propose to go into the details of the point at issue. I wish, however, to protest against the discourteous manner in which the Government have treated us over this matter. As Pandit Govind Ballabh Pant has remarked, there were so many ways open to the Government by which they could defeat the object of the non-official

members of the Council, that they need not have resorted to the most undesirable expedient of not introducing the Bill in the Council.

I wish to take this opportunity at the same time to ventilate the grievances of my district to the Irrigation department. Unfortunately I belong to a district which is cut off from the rest of the province in the matter of communication as well as irrigation. It is a very backward district. I am not aware if any efforts have been made by the Government to introduce irrigation facilities in the district, but one would have thought that now that the office of Chief Engineer is filled with distinction by an Indian belonging to that district the latter would find favour with the department. On the point of irrigation facilities I desire to make a few suggestions. Firstly, if it is found impossible to construct the Eastern Ganges canal or even to tap the various small rivers which are abundant in the district, may I inquire if it is equally impossible to provide special facilities to the district for irrigation by means of wells? Many persons of my district have approached me on the subject. They want irrigation in their villages and are quite ready to form themselves into a sort of co-operative body for the purpose so that they might be provided with wells for irrigation. It may be pointed out in reply that it is the business of the Agriculture department, but in this connexion I should like to submit that it is impossible for that department to take up the question of wholesale irrigation of a district. I would, therefore, suggest to the Government the advisability of consulting the non-official opinion in the district with a view to formulate a scheme for the sinking of wells at various places, so that at one time more than five or six villages might be irrigated. I hope that the Government will consider the suggestions which I have made in the interest of the irrigation of the district and thus seriously try to alleviate the condition of the people of that locality.

**Chaudhri Badan Singh :** I rise to support the motion. After the great flood of 1924 I had a talk with the Hon'ble the Finance Member in connexion with an embankment on the left bank of the Ganges in the Budaun district. I found him in full sympathy, and he told me that he would consult the District Magistrate and the Commissioner. I also had a talk with Messrs. McNair and Sale and found that they too were in full sympathy with that embankment. I also saw Mr. Jwala Prasad with Mr. Nemi Saran, the honourable member for Bijnor, and found that he too was in full sympathy. He told me that he wanted to run the embankment from Rajghat to Garhmuktesar. But it was to my utter surprise that after only six months Mr. Jwala Prasad moved a resolution in the Irrigation Board that the embankment which was built in the Budaun district should be demolished, because it was very injurious to the canal department. Government had sanctioned Rs. 20,000 for this embankment and work was put in the hands of Mr. Sale, the District Magistrate, who got it constructed. But after the resolution was passed by the Irrigation Board, Government sent orders for the demolition of the embankment. At first the work of demolition was put in the hands of Mr. Nethersole, who tried his best to collect labour. People were so much agitated at this that they flocked in lakhs to the embankment with their babies in their laps and requested Mr. Nethersole

[Chaudhri Badan Singh,]

should not be demolished. After that military pioneers were invited and machine guns were posted; so in this way the whole embankment was brought to an end. I am really very much surprised at this childish action of Government. One day the embankment was constructed and the next day it was demolished, and so much money has been wasted for nothing. With these words I support the motion.

**Thakur Sadho Singh :** I associate myself with most of the grievances that have already been stated, but feel it my duty to thank the officers of the canal department for the consideration they generally gave to my communications through which I brought to light the difficulties and grievances of my constituents. Although I was not always successful, still I have no complaint that I was disregarded. No doubt it is our first duty to make sure of the exact nature of the grievances first and then to approach the department. For the last three years I have been in touch with the canal officers, and I hope that a considerable portion of my district, especially the worst portion which is visited by severe drought or famine every two or three years, will become fairly productive and protected for future. I am thankful to the canal authorities for having accepted a much lower irrigation rate for that area. At least I must request my friends in this House to be earnest about what they say. Very serious difficulties have got to be faced when we try to put forward some schemes of irrigation from small rivers. Many vested interests and rights come into conflict, and it is only after an earnest application for a considerable time that we can hope to succeed in deciding the preliminaries even for those projects which officers alone cannot be expected to do. I am very glad that this question of real betterment of the condition of the agriculturist has been brought to the forefront this evening, although most of us represent the rural constituencies, yet very few gentlemen do take the trouble or have taken the trouble of going to the spot to see things first hand, and suggest definite proposals or report specific grievances to be removed.

*During the above speech the Hon'ble the President resumed the Chair.*

**Rai Bahadur Babu Mohan Lal :** A suggestion has been thrown out by the honourable member for the Allahabad University that the Irrigation department should try to introduce irrigation through pumps and wells. I am sorry that I cannot agree with him on this point. The introduction of irrigation through wells cannot be useful and cannot be at all lucrative to the tenants. There was a tract in the village Tateora in my district which was *bhur* and a tube-well at a cost of about Rs. 7,000 or Rs. 8,000 was constructed by the Government and a trial was made. The working expenses were so very heavy that the tenants could not bear those expenses and ultimately the working of the well had to be given up. That tube-well was a very good tube-well. The supply was very good. It could command an area of 153 acres and even then it could not work. I think the Irrigation department will not be well advised to try to introduce irrigation through tube-wells. It would in the end not prove beneficial to the tenants or to the department. No doubt tube-wells have been very useful so far as private individuals are concerned. But in that case their working expenses are not so very heavy. They can manage to work them without outside agency, and in that way they can turn them to useful purpose. But if the tube-wells are worked by the Government they could never . . .



**Pandit Iqbal Narayan Gurtu :** I rise to a point of explanation. I never mentioned tube-wells. I only said wells.—well irrigation.

**Rai Bahadur Babu Mohan Lal :** Irrigation through wells will be still worse. Wells cannot command a large area. They can command very little area, and the working expenses, if worked by the Government, would be much more heavy and the tenants would never be able to bear them.

**Thakur Hukum Singh :**

मैं आनरेबल (honourable) मेम्बर (member) इलाहाबाद यूनीवर्सिटी (University) का शुक्रिया अदा करता हूँ कि उन्होंने एक बड़ी कौमती राय काउंसिल (Council) के सामने पेश की है उन्होंने कुछ बनाने के मुताबिक प्रस्ताव किया है यह हम किसानों के वास्ते बहुत ही हित कर है। यह बात नामुमकिन है कि तमाम सूबे के अन्दर हर जगह पर नहर पहुँच सके या पहुँचाई जा सके। गवर्नमेन्ट (Government) को इस बात को कोशिश करनी चाहिये कि काश्तकारों के हित के लिये कुओं के वास्ते इन्तजाम करे। इसलिये मैं आनरेबल (honourable) मेम्बर (member) इलाहाबाद यूनीवर्सिटी (University) के मोशन (motion) का समर्थन करता हुआ मैं यह अर्ज करूँगा कि मैं मथुरा के जिले का रहने वाला हूँ। मथुरा जिले में आज से शायद १०, १२, १५ वर्ष पहले आधे से ज्यादा जिला ऐसा था जहाँ नहर नहीं थी अब बाट ब्रांच (branch) के खुलने से माट, महावन और सादाबाद की तहसीलों में थोड़े से रकबे में पानी जाने लगा है अब तक गवर्नमेन्ट (Government) की तरफ से बहुत कोशिश होने पर भी बहुत बड़ा हिस्सा ऐसा है जिसमें नहर नहीं पहुँच सकी है या पहुँचाई जा सकी है। इस लिये यह बात निहायत जरूरी है कि ऐसे मुकामात पर जहाँ नहर नहीं है गवर्नमेन्ट की तरफ से इस बात का इन्तजाम किया जाय कि कुओं के बनाने के वास्ते काफी इन्तजाम हो और उन रकबों में जहाँ नहर नहीं है आब-पाशी का इन्तजाम कुओं के जरिये से किया जाय। मैं थोड़ा सा यह अर्ज करूँगा कि हम देहाती आदमी जो काउंसिल (Council) में आते हैं उनसे यह कहा जाता है कि वह अंग्रेज़ी ज़बान में अपने खयालात जाहिर करें। हम लोग ज्यादा तादाद में यानी ९९ फी सदी ऐसे हैं जो अंग्रेज़ी नहीं जानते हैं हम काश्तकार लोग यदि अपने खयालात को अंग्रेज़ी में न जाहिर करें तो हमारी बात ही नहीं सुनी जाती है। हम लोग देशी ज़बान में अपने खयालात को जाहिर करते हैं तो उसका जवाब हम को गवर्नमेन्ट (Government) की जानिब से नहीं दिया जाता है। न अंग्रेज़ी ज़बान में दिया जाता है न देशी ज़बान में। हम को कोई तसल्ली नहीं दी जाती है इस लिये हम को ना उम्मेदी होती है। हमारे Representation करने में क्या फायदा है। मुझको तोस हजार वोटों ने अपना प्रतिनिधि बना कर भेजा है तफ़रीब २९९०० आदमी ऐसे होंगे जो सिवाय हिन्दी के अंग्रेज़ी नहीं जानते हैं ऐसी हालत में मैं उनकी तरफ से Representative हूँ और उनके खयालात का इजहार करना चाहता हूँ मगर हमारी आवाज में दिक्कत होती है हमारे पतराज के मुताबिक कोई जवाब नहीं।

[Thakur Hukum Singh.]

है इसलिये उम्मेद है कि हमारी बातों का ज़रूर जवाब दिया जाय और उनको तरफ़ पूरी तवज़ह को जायगी।

एक बात मुझे और कहनी है कि जब जब कहत पड़े हैं तब तब मथुरा और आगरा के ज़िले में कहतों का इतना बड़ा भ्रसर पड़ा है कि U. P. के किसी ज़िले में उतना नहीं पड़ा है। सब से ज़्यादा तकलीफ़ मथुरा और आगरा के काश्तकारान कहत के दिनों में पाते हैं। दस वर्ष के अन्दर पांच छे कहत पड़े हैं जिसकी वजह से काश्तकारान निहायत तकलीफ़ में रहते हैं। नहर की कमी की वजह से काश्तकारान और ज़मीन्दारान को तकलीफ़ होती है इन हालात के होते हुए यह निहायत ज़रूरी है कि मथुरा व आगरा के ज़िलों में जिस जगह नहर नहीं पहुँच सकी है या पहुँचाई जा सकी है कुछ बना कर काश्तकारों को आराम पहुँचाया जाय। मैं निहायत अदब से दरखास्त करूँगा कि Government को जानिव से उन नहरों की बाबजूद इतना अर्सा बने हुए हो गया है मगर उनमें कोई इजाफ़ा नहीं किया गया है मैं कहता हूँ कि जहाँ नहरों में इजाफ़ा हो सकता हो वहाँ उसको ज़रूर कर दिया जावे। और साथ ही साथ काश्तकारों को मदद कर के उन को कहत की तकलीफ़ से बचाने के लिए कुछ बनाए जाने का प्रबन्ध किया जाय। इस लिए मैं ज़्यादा वक्त न लेकर उस मोशन (motion) का जिस को यूनिवर्सिटी (University) इलाहाबाद के आनरेबिल (Honourable) मेम्बर (Member) साहब ने कौंसिल के सामने पेश किया है समर्थन करता हूँ।

**Chaudhri Vijai Pal Singh :** I will not take much time of the House, because many points have already been discussed which I wanted to bring to the notice of the House. I may say at the outset that I am a pessimist as far as the professions for the benefit and welfare of the cultivators are concerned. In the report on the Excise department, describing the policy of that department the Hon'ble the Home Member said:— "It is the policy of the Government to derive the maximum of income with the minimum of consumption." I think this policy rightly applies to the Irrigation department. It is the policy of the Government that the minimum of water should be consumed and the maximum of income should be extorted from the cultivators. I am aware that while settlement operations were going on in my district, Bulandshahr, then the officials of the canal department were ever on the alert that no complaints as to the deficiency of water supply should reach the officers. Those plots which were never watered were not watered while settlement operations were going on. Now, what is the policy of the Government in these days? The canal officers are careful that no crops are being sown as much area should come under irrigation as possible, but as soon as crops are sown they observe the golden rule of silence. I submitted two applications to the Chief Engineer regarding the deficiency of water supply. To one of those applications I received this letter in reply:—

"Office of the Superintending Engineer, III circle, No. 145-I. W., dated January 26, 1927.

Has the honour to acknowledge receipt of his application dated January 18, 1927 to the address of the Chief Engineer, canal department, and to inform him that the executive engineer, Lower division, Eastern Jumna canal, Muzaffarnagar, has been asked to submit a report on the case, and that a reply would be given as soon as received from the executive engineer."

I cannot, like my friend Thakur Sadho Singh thank the Government that any suggestion from me has received the sympathetic consideration of the Government. It has been more than a month and a half when I sent the application and I have not received any reply whatsoever. I sent another application to the executive engineer, and the effect of that application was that the executive engineer along with the sub-divisional officer went to investigate the grievances there, but the course which they adopted at that time was very curious. From the 10th of February I was there on the spot in the Bulandshahr district, and on the 11th of that month the executive engineer visited the Rajbaha. I brought to the notice of the executive engineer that surplus water in the Gulalti Rajbaha was being discharged at the terminus of the Rajbaha, whereas cultivators suffered a great deal for insufficiency of water supply between miles 6 and 8, which shows callous indifference to the wishes, interests and sentiments of the poor cultivators, and ill-management and carelessness on the part of the canal department officials. The sub-divisional officer and the executive engineer went there and saw with their own eyes that no water was passing through the kulabas. They sent for one of the cultivators who was watering his fields and said ; "Your kulaba is not well constructed. Put in an application and we shall see to the matter." I could not understand the mood of the officers when they themselves saw that the kulaba was above the level of the water and was not constructed in a proper way, why did they not themselves do what was required at the time ?

There is one kulaba No. 69/64 at 7 miles 6 furlongs. On that kulaba cultivators applied that *warbandi* should be made. The deputy magistrate refused without any reasons. Now what is going on there ? The amins and ziladars are demanding at least Rs. 60 so that the cultivators' terms may be fixed. If their reasonable demand is accepted by the Government without any delay, I do not think the poor cultivators will have to pay Rs. 60, because I know it will be done in course of time. If it is not done they will have to pay Rs. 60 as bribe to amins and ziladars. There is one suggestion that I have to make. On the Eastern Jumna canal there are seven villages in the Baghpat tahsil. If water is not supplied there in the month of June, i.e., Baisakh, then the cultivators will not be benefited very much. The rainfall is very low, the poor cultivators cannot sow rice there. But once the rainfall begins it does not stop. The poor cultivators have neither rice nor other crops. I would like to suggest that water supply on the Eastern Jumna canal in the month of Baisakh should not be stopped unless there is sufficient rainfall, and kulabas between miles 6 and 7 in the Gulalti Rajbaha of the Bulandshahr division should be set right so that there may be no waste of water. With these suggestions I hope the Chief Engineer will be kind enough to issue instructions to the executive engineer so that the grievances may be attended to.

**Mr. B. D'O. Darley:** I welcome the first speech made by the honourable Pandit Sahib. It is most encouraging to think that there is a wish for a further extension of the activities of the Irrigation department. We are evidently not such a bad lot as has been made out on several occasions during the last two days. Well, I will try and be as brief as I can, seeing there are about 40 or 50 points to be answered and it will be with difficulty that I shall be able to get through them.

The Pandit first asked what further schemes there are for expansion of irrigation in these provinces and he puts forward some very helpful suggestions. Well, all the large rivers in these provinces have already been tapped. There is only one further large scheme possible for irrigation in these provinces, I mean a scheme of the size of the Sarda, Ganges, Agra or any of the major schemes in these provinces, and that is the Lower Sarda canal. Just as there is a Lower Ganges canal, so it would be possible to have a Lower Sarda canal to irrigate the districts of Fyzabad, Sultanpur, Jaunpur, Northern Mirzapur, Benares, Azamgarh right down to Ballia. But it must be realized that the cost of the scheme must be enormous, running into many crores of rupees, very little smaller than the Upper Sarda canal. It is impossible to say at present whether that would be a paying scheme, and therefore we should see the result of the Upper Sarda canal and wait until that canal begins to earn revenue and pay at least a part of its interest charges before launching out into another enormous scheme. There are, of course, possibilities for numerous smaller schemes and where there is any hope that these schemes would pay the interest charges on the cost of their construction they are investigated from time to time. At the present time we have an investigation going on in the Budaun and Shahjahanpur districts. I refer to the investigations in connexion with the Sot river. We are also investigating the possibility of a canal from the Gangan river near Moradabad. We are also once more investigating the possibility of reviving the Ramganga canal which has been mentioned by so many members. This scheme has been investigated time and again and the last investigation took place in 1915 when a scheme was drawn up, but every scheme has always been rejected, for the same reason that this river during the *rabi* season and in the early *kharif* season when the water would be most needed for wheat and for sugarcane runs down almost to nothing. Therefore, as it is a very big river in the rains and the cost of the headworks will be enormous, it has not been possible so far to prepare a scheme which would pay the interest charges on the capital outlay.

Now, the question of constructing unproductive schemes is a very large one. Should unproductive schemes be introduced? Several members have raised that issue. They have asked the Government to bear the cost of the unproductive scheme. Is that right? Up to the present it has been generally held that Government is not justified in using the general revenues paid by the tax-payer to improve the condition of specific communities which would thereby reap the major benefit. Everyone will admit that when an irrigation scheme is introduced, it is the *zamindar* and not the Government who gets the major benefit from that scheme. For this reason there were a number of schemes which were proposed and dropped. A number of further schemes could be proposed but it is no good putting forward a scheme which would not pay even the interest charges on the capital outlay. I may assure the House that

Government does not wish to take any excess profit but just to build schemes which would pay their way. This covers a large number of points raised by the honourable members and this is the reason why irrigation has not extended to those outlying parts where famine conditions seldom occur.

Then the Pandit Sahib referred to the question of wells. Up to the present well-irrigation has been in the hands of the Agriculture department for two reasons. The first is that the activities of the Agriculture department extend over the whole of the province, whereas those of the canal department extend only to those districts where canal-irrigation exists or where projects are being built. It would be invidious if those districts also received special attention in the matter of well-irrigation. The second reason is that for the last twenty or more years the Irrigation department has been working at full stretch. Every man available was employed for the first portion of that period in constructing protective works in Bundelkhand, and later on the Sarda. I do not believe that the honourable members of this House realize what has been done since the Irrigation Commission made its report in 1903. The Irrigation Commission in volume I of their report recommended that the Government of the provinces should spend a sum of 240 lakhs on irrigation works and they said that in their opinion a further area could be added to the irrigation by canals in these provinces of 400,000 acres. When the Sarda canal has been completed this Government will have spent a sum of about 1,350 lakhs of rupees on irrigation works since 1903 and the irrigated area will have gone up from some  $2\frac{1}{2}$  million acres at that time to some  $4\frac{1}{2}$  million acres, that is to say, they will have spent five times of the amount recommended by the Irrigation Commission and they will be irrigating an area which is five times as much of the Irrigation Commission forecasted. We are going ahead as far as possible, but until the Sarda canal is completed every officer we have got in the department is fully occupied. As I explained yesterday, we have not taken any extra staff to build the Sarda canal and our attenuated engineering staff is only just capable of dealing with the work which we have already in hand.

I now come to the points raised by Khan Bahadur Sahib. He complained of various things. He said that patrols do not generally take notice of the requests of the cultivators and that water is not given at the right time. That is the first complaint. I really do not understand it, because the executive engineer in each division gets intimation ahead what water is likely to run; he prepares his roster and necessary instructions are issued to the patrols. That cultivators do not get water at the right time is a very old complaint. The fact is that in years like the present every cultivator wants water exactly at the same time. It is utterly impossible to give every cultivator water at the same time. Therefore it is necessary for the canal department to give water to the cultivators in turn and open distributaries in turn. All the water in the river is put in at the head of canal; none is wasted; all goes to the cultivators, but it goes in turn. The cultivator who does not get it always thinks that he has been unjustly treated, but I assure you, Sir, that the canal engineers do not drink that water.

Then he complained that water is let down at the wrong time that the cultivators' lands are flooded. I think the Khan Bahadur

[Mr. B. D'O. Darley.]

is under a misapprehension. As the outlet in the cultivators' fields is in the hands of the cultivators, they alone open that outlet and close it, and if a cultivator leaves his outlet open unnecessarily, it is his own fault if his field is flooded.

Then we heard that distributaries are not kept clean and water does not get in properly. We have been urging in this House for the last few years that we have not been receiving enough of money to enable us to keep the channels clear. As I said we have been urging the Finance department for more and more money and if they could give us more money we could keep them clean. There will be better distribution and less complaint. The opposition benches said that our expenditure was growing by leaps and bounds and that it must be limited and cut down. If the money is cut down, the Council can very well realize what the result will be. As the Hon'ble the Finance Member said yesterday, the members of this House will bear witness to what has been done in the upper portion of the Ganges canal within the last two years.

Then there is a complaint that water runs down village roads and is wasted. There, again, I do not think the Irrigation department are to blame. The village watercourses are in the hands of the zamindars and they are responsible for building bridges where these cross village roads. If water is wasted we serve notice on the zamindar of the village that he must build a bridge and if he does not do so it is built on his behalf and the money is recovered from him as an arrear of land revenue. Therefore, if there is a waste of water, it is the zamindar's duty to see that these bridges are built. Next is the complaint, a very novel complaint, that we should turn flow irrigation into lift irrigation. I cannot believe that that is the wish either of this House or of the people concerned. I am certain that if we turn flow irrigation into lift irrigation in any one village in the province then every cultivator in the village would send a petition at once to the canal officer or to the Collector.

Next we come to drains. It is said that they are insufficient. Well, we have got a little over 4,000 miles of drains and no doubt it is our duty as far as possible to extend these drains but my experience is that drains are generally opposed by the zamindars if not by the cultivators. In most of the places where drains are necessary jhil water is provided to the cultivators by the zamindars who take rent for that water. Some times we are *zabardast* for the sake of the cultivators and we drain these jhils, substituting canal water, and in such cases the zamindars often object. The last point raised by the Khan Bahadur was with regard to the Sarda canal. He said that the land acquisition officers were placed under the executive engineer. These officers are not under the executive engineers. They are under the Deputy Commissioner, but the Deputy Commissioner sees little or nothing of their work unless there are complaints about the awards. On the other hand the land acquisition officer is always in touch and he works entirely with the executive engineer. The executive engineer is the paying officer on behalf of Government and has to see the awards before the money is paid out. All awards go to the executive engineer and he has to study these at side to get a rough idea whether they are right or not. If he considers that they are all right he accepts the award. He cannot sanction an award, he accepts it on behalf of Government. If there is any difference of

opinion on the award the matter is referred to the Deputy Commissioner who is the final authority, and whose final decision must be accepted by the executive engineer. It will be seen, therefore, that all the work of the deputy collectors is with the executive engineer day by day and the Deputy Commissioner, except in a very few cases, never sees anything of the land acquisition officer's work, and for this reason the executive engineer is asked at the end of the year to make a report on the deputy collector's work, and that is, I think, a perfectly reasonable situation. Now comes the point raised by Dr. Shafa'at Ahmad Khan. He specially draws attention to the districts of Moradabad and Budaun and he quotes from the Irrigation Commission. He says they recommended that canal irrigation be introduced. I think if he will read the report carefully he will find that they recommend that investigation should be made as to whether irrigation facilities should be given to those districts.

**Dr. Shafa'at Ahmad Khan :** That is what I said.

**Mr. B. D'O. Darley :** I am sorry if I misunderstood you. Those investigations have been made. With regard to the Eastern Ganges canal I am afraid such a canal could not be built as a paying proposition unless the present Western Ganges canal zamindars are prepared to give up some of the water they now get during the *rabi* season. If not I am very much afraid that were this canal built it might be used as the thin end of the wedge to try and steal that water which should otherwise be used on the western side, where it is much more needed. No canal in these provinces would be a paying concern if the *kharif* revenue alone were considered. That is, if no *rabi* revenue came in, no canal would be paying, even though those canals were built in the days when construction was very cheap. Therefore I am convinced that an Eastern Ganges *kharif* canal could not be made a paying proposition. Take for instance the figures for the Ganges canal. If we take the *kharif* revenue last year and deduct from it the working expenses we find that the remainder would only have been 2 per cent. on the capital outlay. I am sure that it would not be fair to build a canal either for Moradabad or Budaun which would mean that the general revenue would have to supply this deficit year by year between 2 per cent. and 5 per cent. of the capital cost. Neither of these places can be considered as districts where famine expenditure is great. The amount of famine expenditure during the past twenty years in Moradabad has been Rs. 1,10,000. In Budaun it has been Rs. 6,53,000. The irrigation Commission gave a formula for finding out whether it would pay to irrigated districts where famine expenditure was high. If we apply these figures we see at a glance that it would be impossible for Government to get a return for its money even if we took the famine expenditure into account. Now we come to the questions of the member for Dehra Dun. He complains that the irrigation rates have been enhanced and that supplies are poor. The canals are small, but they also serve a very small area. The supplies have been augmented by feeders wherever possible. I do not think Dehra Dun uses less water per acre than any other part of the province. The rice crops of Dehra Dun are famous. They are renowned throughout India. They are the most valuable crops in the whole of Northern India as far as rice goes. By far

[Mr. B. D'O. Darley.]

the biggest area is under rice. Fifteen thousand acres are cultivated and of this seven thousand are rice. I am sure the honourable member will not wish to lower the rate for rice below those levied in adjoining districts. For transplanted rice it is the same as that in Saharanpur and Meerut. For broad-cast rice it is Rs. 3, whereas it is Rs. 7-8 in those districts. The Dehra Dun canals last year only paid a return of 2-39 per cent. on the capital outlay. So that they are unproductive works as it is, and as I have said unless the rates are raised the general tax-payer will have to pay what should be paid by the tenants who reap these wonderful crops of rice. The next point is regarding writing up of irrigation parchas in Hindi.

That I dealt with yesterday.

**The Hon'ble the President:** We must now be in sight of the tail end.

**Mr. B. D'O. Darley:** The last point raised by the honourable member is about the petition to the Deputy Commissioner, Dehra Dun. I am afraid the irrigation department have heard nothing of that.

Now I come to Khan Bahadur Maulvi Fasih-ud-din (A voice:—"Only seven minutes more.") Do honourable members not want a reply.

**Khan Bahadur Maulvi Fasih-ud-din:** I want a reply to my points.

**Mr. B. D'O. Darley:** The Khan Bahadur Sahib wants more bridges on the Sarda canal. The bridges which were given on the Sarda canal are much closer than those which have been given on other canals in this province, but if we have a bridge at every village, as he suggests, it would cost a vast sum of money which would turn the Sarda canal from what I hope will be a productive canal into an unproductive canal. I think the other points raised by the Khan Bahadur Sahib have been dealt with by me.

**Khan Bahadur Maulvi Fasih-ud-din:** What about the probable date of the opening of the canal?

**Mr. B. D'O. Darley:** I think if the Khan Bahadur Sahib would read the statement which was placed on the table yesterday he will see that we hope to open the Sarda canal in 1928 and that it will start irrigation in the upper reaches that year.

My honourable friend opposite complained about his treatment by an executive engineer. I am very sorry to hear this. The matter will be looked into.

Mr. Shyam Lal has taken up the question of drainage works. I have already answered that. I must thank Thakur Sadho Singh Sahib for his appreciation of the work done by irrigation officers and the attention which is being paid to his various requests. As he knows, a scheme is under investigation and we hope we would be able to do something in the Sot river valley, where a survey party is at work at present.

**The Hon'ble Sir Sam O'Donnell:** There is only one point which I propose to deal with. I have noted down four points, but I shall confine myself to a single point. It is not our fault if we have to deal with a large number of points. The fact is that all these points have been raised by honourable members on the other side who speak for an hour and a quarter. Every member who rose to speak raised two or three points and asked for definite replies to those points. Naturally it takes some time for us to give the replies.



**Pandit Govind Ballabh Pant :** We are thankful for the courtesy.

**The Hon'ble Sir Sam O'Donnell :** I will deal only with one point and that is the question of the Canal Rates Bill. Now, Sir, we told the Council that we agreed to the principle that canal rates should be regulated by statute. We appointed the Irrigation Rates Committee and had a Bill drafted. That Bill was introduced in the Council. As regards that Bill, I would refer honourable members to what was said on the subject by the Taxation Committee. The Taxation Committee said : " On this subject the committee agree with the recommendations of the Irrigation Rates Committee of the United Provinces that prices can well be utilized to determine the variation in rates." They in fact endorsed completely the principle of our Bill. Our Bill was, therefore, in the opinion of a very strong committee—the unanimous opinion of that committee—a very sound Bill. We introduced it and referred it to a select committee. When we came to present the report of the select committee we found that unfortunately all sections of opinion were opposed to that Bill. If we had thought that there was any prospect of the Council taking a different view and of the matter being reconsidered when it was threshed out on the floor of the House, we should have been very glad to proceed with the Bill. It seemed to us, however, that it would be a sheer waste of time to do so. After all it was our Bill. When it was clear that the Council was not prepared to accept the Bill why should we waste our time and their time by proceeding with it? If that Bill is not law, if canal rates are not at present regulated by statute in the way in which we had contemplated, well, the responsibility does not rest with us. We accepted the principle, we appointed a strong committee, we had an excellent Bill drafted, we introduced it in the Council and we referred it to a select committee. The select committee turned it down. When we saw no prospect of the Council taking a different view, we took the only course open to us, viz., to drop the Bill.

**The Hon'ble the President :** The inevitable 5 o'clock has come and the guillotine has to be applied. The original demand was for a sum of Rs. 59,80,895. Since then the Council has carried cuts to the extent of Rs. 1,02,312. The question is that a sum of Rs. 58,78,583 be voted.

*The demand was put and voted.*

*The Hon'ble the President then adjourned the Council to the following day.*

## APPENDICES.

## APPENDIX A.

(See page 618 *supra*.)(Statement referred to in the answer to starred question No. 2,  
asked by MR. E. M. SOUTER.)

District.	Expenditure during 1925-26 on provincial metalled roads under head.			
	Original works.			Maintenance.
	Original construction.	Re-construction.	Total.	
	Rs.	Rs.	Rs.	Rs.
Allahabad .. ..	80,839	1,70,646	2,51,485	92,462
Cawnpore .. ..	10,186	1,95,406	2,05,592	2,48,398
Agra.. ..	918	2,78,958	2,79,871	1,66,250

## APPENDIX B.

(See page 623 *supra*.)*List of foreign materials used up to date on the Council Chamber,  
Lucknow.*

	Rs.
Door and window fittings .. ..	29,110
Plaster models for ornament .. ..	8,679
Critical doors and windows .. ..	10,562
Italian marble for floors and staircases .. ..	28,500
Wrought iron grilles .. ..	10,000
Electric lift .. ..	13,562
Electric fittings such as cable, switches, etc., say .. ..	20,000
otal .. ..	1,20,418

## APPENDIX C.

(See page 624 *supra*.)*Copy of circular letter No. 1256/167 of 1927, dated Allahabad, February 23, 1927, from J. E. PEDLEY, ESQ., I.C.S., Registrar, High Court of Judicature at Allahabad, to all District Judges subordinate to the High Court of Judicature at Allahabad.*

It has been brought to the notice of the Court in a letter that appeared in the *Leader* newspaper, dated February 18, 1927, that "the High Court notification on the subject of training of legal practitioners appears to be interpreted by some of the district judges as requiring an examination of the practitioners by the district judges."

In case there is any misunderstanding in this matter, I am directed to say that the Court does not require district judges to hold any test of practitioners at the end of their six months' training but merely to satisfy themselves from their personal observation or, where necessary, from inquiry from subordinate courts or among members of the local Bar Association that the practitioners in question have in fact undergone a six months' probation under the instruction of a qualified "senior" in the manner prescribed in rule 28 of the "Rules of August 10, 1904, Legal Practitioners."

## APPENDIX D.

(See page 624 *supra*.)**Rules for the conduct of the District Board Accountants' Examination.**

1.—An examination called the District Board Accountants' examination shall be conducted by the Examiner, Local Fund Accounts. He shall appoint examiners and issue necessary instructions with the approval of Government for the conduct of the examination.

2.—The examination will be open to employees of district boards who are recommended by the chairman for admission to the examination.

3.—There shall be a question paper on each of the following subjects:—

- (1) Elementary Commercial book-keeping, including stores and books accounts.
- (2) United Provinces District Boards Act, 1922, Northern India Ferries Act, 1878, and the Cattle Trespass Act, 1871.
- (3) Rules made under the District Boards Act.
- (4) Fundamental rules relating to pay, travelling allowance and leave.
- (5) Civil Account Code, volume I, chapters I, IX and XIII.

Each of the above papers will carry 100 marks.

4.—In order to pass the examination, each candidate must secure not less than 35 per cent. of the marks in each paper and 50 per cent. of the aggregate. Candidates who fail may be allowed two more chances to re-appear. Those who secure more than 60 per cent. in a subject will not be required to appear in it again.

5.—(1) The examination will be held simultaneously at every divisional headquarter once a year in the month of December on dates to be fixed by the Examiner, Local Fund Accounts.

(2) The Collector of the district will be the superintendent of the examination. He may depute a member of the district staff to exercise supervision and make necessary arrangements at the centre.

6.—Every candidate shall pay an examination fee of Rs. 7 by October 1, preceding the date of the examination.

7.—(1) No person shall be appointed to the post of accountant after April 1, 1927, unless he has passed the accountants' examination :

Provided that—

- (a) the sub-rule does not apply to persons appointed in temporary vacancies for a period not exceeding three months, and
- (b) the Examiner, Local Fund Accounts, may up to April 1, 1929, on the recommendation of a district board, exempt a person who, in his opinion, is fit for the post of accountant, from the operation of this sub-rule.

(2) An accountant in the permanent employ of a district board shall not be required to pass the examination, but shall not be retained in the capacity of accountant after the aforesaid date unless he has obtained a certificate of competency from the Examiner, Local Fund Accounts.

## APPENDIX E.

*(See page 680 supra)**Instructions issued to Inspectors for training of candidates.*

The following three candidates selected for Inspectorship are being sent to you for training in the first instance for a period of three months. They have been instructed to report themselves to you at .....by the evening of January 30 and if any of them fail to turn up by that day you should inform me at once.

The preliminary training should last about one week ; in this period you will explain to the candidates the composition of a rural society ; the importance of the registers maintained ; and how entries are made in them (the candidates should be asked to make a few entries in your presence) ; how instalments are fixed, how the maximum credit is worked out and the normal credit fixed ; how the managing committee is to be elected ; how members are admitted and expelled ; how loans are advanced and what steps are taken before and after the advancement of loan ; how sureties are taken ; how the balance sheet is prepared ; how accounts are kept and mistakes corrected ; how annual statements are prepared ; and how byelaws are amended ; in short, how the Secretary does his work. They should not merely receive instruction in theory, but must be made actually to do the work.

In the next period for about two weeks you will teach them the work of supervisors by actually making them work as such in selected areas. In addition to carrying out the work mentioned above they must be taught how to inspect societies and go into their actual working ; how to split up societies, if necessary ; how arbitration proceedings may be taken and how executed. Please see section 88, page 107 of the Manual in this connexion.

In the next stage which might last about three weeks the candidates should be taught how to audit societies. This work can be done by the auditor, but under your supervision. He should for one week carry out some audits in the presence of candidates in the villages ; explaining to them the importance of each question, the method of audit and the principles involved. The next week the candidates themselves should carry out some audits in the presence of the auditor who will correct them and point out mistakes. The third week the candidates will be directed to audit certain societies ; the auditor will point out the mistakes, if any, review them and forward them to you. You should then record your own interim report as to the fitness and aptitude of the candidate for the work and forward that confidentially to me.

The next step will be for you to teach the candidates the work of organizers, liquidators and inspectors ; this might take about three weeks. You should take them round with you into the villages for the purpose. I do not think I need go into any details as regards this part of the training.

The final stage should last not more than two weeks ; and should be devoted to explaining the working of central banks and their inspection and audit ; a small bank in your circle should be selected for the purpose.

I should like you to impress on the candidates at every stage that the object of supervision, audit and inspection is not to criticize but to help ;

departmental officers are not the masters of the banks or societies, but their guides and helpmates. If they find mistakes they must get them corrected if possible at once and explain to the men concerned then and there how similar mistakes may be avoided in future; merely making a list of irregularities is no use. Further they must get into touch with the village people; hats and ties and other similar insignia associated in the minds of villagers with persons in authority should be discouraged; and you should arrange for as much of the training as possible to take place in villages preferably villages at least 15 or 20 miles from headquarters and at least 5 miles from the nearest *pakka* road; both you and the candidates must live in the villages at night. During the whole period you will make the candidates keep a detailed diary for showing each day, what work they did and where they stayed (the distance from headquarters and from a *pakka* road being mentioned. At the end of every period of three weeks the diary will be submitted to me; and at the close of the training when submitting the final diary, you will please append a full note as regards each candidate as to his progress in the various branches of the work, his capacity for getting on with villagers and doing hard and rough out-door work; this will, of course, be submitted confidentially.

Please note that you have been specially selected for training these candidates and you should see that they are carefully and thoroughly trained. If all three candidates trained by you do badly in the subsequent examination I shall know that you were more at fault than they and will take action accordingly.

## APPENDIX F.

(See page 637 *supra*.)

*Statement showing the names of persons prosecuted under section 153A, Indian Penal Code, since 1923 [referred to in the answer to starred question No. 152(a) for March 23, 1927].*

Number.	Name of person.
<b>1923.</b>	
1	* Munshi Tasadduq Husain of Cawnpore.
2	* Babu Manna Lal Pathak of Rae Bareli.
3	* Babu Ram Jiawan Lal Chaturvedi of Rae Bareli.
4	* Lal Arjan Singh Kaisth of Hoshangabad, Central Provinces.
<b>1924.</b>	
5	* Babu Hari Shankar Nagar, editor of the <i>Sikhsha Prabhakar</i> newspaper of Aligarh.
6	* Seth Phul Chand, printer and publisher of the <i>Sikhsha Prabhakar</i> newspaper of Aligarh.
<b>1925.</b>	
7	* Pandit Ambika Prasad Tripathi, editor of the <i>Bhavishya</i> newspaper of Cawnpore.
8	* Pandit Girja Shankar Misra, printer and publisher of the <i>Bhavishya</i> newspaper of Cawnpore.
9	Swami Vicharanand Saraswati, editor and publisher of the <i>Abhaya</i> newspaper of Dehra Dun.
10	Pandit Bishwambhar Datt Chandola, printer of the <i>Abhaya</i> newspaper of Dehra Dun.
11	* Babu Munna Singh of Bijnor.
<b>1926.</b>	
	Pandit Kali Charan Sharma of Agra.
	Pandit Rama Shankar Avasthi, editor of the <i>Vartman</i> newspaper of Cawnpore.
	Master Dayal Jhalu.
<b>1927.</b>	
	Mahashay Abdul Karim Khan, editor of the <i>Muslim Sewak</i> newspaper of Agra.

In these cases there were combined charges under sections 124A and 153A, Indian Code.

*Statement showing the names of the books (including pamphlets) with the names of their authors, printers and publishers, so far as known, which have been proscribed since 1923 for containing matter the publication of which is punishable under section 153A, Indian Penal Code [referred to in the answer to starred question No. 152 (b) for March 23 1927].*

Number.	Name of publication with names of author, printer and publisher, so far as known.
1	Pamphlet in Urdu entitled "Calcutta men Musalmanon par Aryon ka zulm," written by one Moti Ullah, bookseller, Moolganj, Cawnpore, resident of Chandni Chowk, Calcutta, and printed at the "Razzaqi" Press, Cawnpore.
2	Pamphlet in Hindi entitled "Fazibate ka Golgappa," written by Master Dayal Jhalu, published by the manager, Bedhab Book Dépôt, Puraini, district Bijnor, and printed at the "Talugdar" Press, Lucknow, the title page having been printed at the "Shukla" Press, Lucknow.
3	Book in Hindi entitled "Bichitra Jiwan," written by Pandit Kali Charan Sharma and published by Prem Pustakalaya, Phulatti Bazar, Agra.
4	Pamphlet in Hindi entitled "Shuddhi se nak men dam," written by Master Dayal Jhalu, printed at the "Talugdar" Press, Lucknow, and sold by the manager, Bedhab Book Dépôt, Puraini, district Bijnor.
5	Pamphlet in Urdu entitled "Ta'am-i-Hunood," written by Muhammad Basit Yar Khan and printed at the "Mahmud-ul-Matabi" Press, Bareilly.
6	Book in Hindi entitled "Deva Dutta Darpan," written by Prem Saran, published by D. D. Varma, Prem Pustakalaya, Phulatti Bazar, Agra, and printed by Damodar Das at the "Damodar Printing Works," Agra.

## APPENDIX G.

(See page 637 *supra*.)

*Statement referred to in the answer to starred question No. 155 for March 23, 1927.*

Conditions of recognition of the Sanyukta Prantya Adhyapak Mandal :—

- (1) The district associations affiliated to the United Provinces Teachers' Association must be recognized by the boards concerned as bodies representative of vernacular teachers in the districts.
- (2) The number of regularly subscribing members of the association must be sufficient to justify its claims to be representative of vernacular teachers in general.
- (3) All office-bearers must be vernacular teachers.
- (4) The financial position of the association must be sound.
- (5) The association must be registered.





# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Thursday, March 24, 1927.*

The Council met in the Council Chamber, Lucknow, at 11 A.M.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(89)

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. C. Desanges.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Rai Bahadur Lala Shyam Sundar Lal.  
Babu Bhagwati Sahai Bedar.  
Chaudhri Mangat Singh.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Khushal Pal Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Babu Kishori Prasad.

Pandit Deota Prasad.  
Babu Shyam Lal.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhainandan Prasad.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamshed Ali Khan.  
Hafiz Muhammad Ibrahim.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Shaikh Ghulam Husain.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Niamat-ullah.  
Rai Bahadur Munshi Ambe Prasad.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Mr. E. M. Souter.  
Mr. J. P. Srivastava.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## CANAL ADMINISTRATION REPORTS.

\* 1. **Khan Bahadur Hafiz Hidayat Husain** : Why are the reports of canal administration not supplied to the members of the Legislative Council? Are they available to them on payment?

**The Hon'ble Sir Sam O'Donnell** : (a) As two copies of the Annual Administration Report are supplied to the Council Library every year, no copies are supplied to the members of the Legislative Council individually.

(b) A limited supply of old copies is available at the Government Press for sale on payment. The number of copies to be printed could be increased in future if demand arises.

## TAQAVI TO SIRDAR KIRPAL SINGH FOR SINKING TUBE WELLS.

\* 2. **Khan Bahadur Hafiz Hidayat Husain** : How much money has been advanced to Sirdar Kirpal Singh for sinking tube wells? When was this money advanced? Has the money been utilized so far? If not, why?

Is it the Sirdar's intention to buy pumping electric machinery from the Continent? Is he stopped from doing so? If so, why?

**The Hon'ble Thakur Rajendra Singh** : *Taqavi* to the total amount of Rs. 80,000 has been advanced to Sirdar Kirpal Singh for the installation of a series of tube wells and a central electric power station. Rupees 40,000 was advanced in April, 1925 and Rs. 40,000 in December, 1925. Rupees 27,682 has been spent on the construction of nine tube wells which have been successfully completed. Three more are under construction. The remainder of the *taqavi* advance will be utilized for the installation of a central electric power station for use in connexion with pumping and the sugar factory.

The Sirdar's intentions as regards the purchase of electrical machinery are not definitely known. He is a free agent in the matter of purchase.

## PURCHASE OF PIPES AND ENGINES BY AGRICULTURAL ENGINEER.

\* 3. **Khan Bahadur Hafiz Hidayat Husain** : What is the value of the pipes and engines purchased by the Agricultural Engineer during the last four years? Were they purchased by him direct or through the Stores Purchase Officer?

If direct, why were they not purchased through the Stores Purchase Officer?

**The Hon'ble Thakur Rajendra Singh** : Four and a half lakhs. He purchased the pipes and engines direct, on the grounds that they were bought for zamindars and not for Government, and that during a period of falling prices he could obtain them more cheaply direct than through the Stores Purchase department. The Government are examining the whole question.

\* 4. **Khan Bahadur Hafiz Hidayat Husain** : Is it a fact that the Agricultural Engineer purchased about three lakhs of rupees worth of

pumps from America? How long is it? Has this been utilized? If so, how and of what value? Have the Government received any money in return for this? What is the value of the pumps still lying unutilized? How do Government propose to utilize the unspent iron?

**The Hon'ble Thakur Rajendra Singh:** No. The facts are as follows:—In 1919 a sum of Rs. 1,30,000 was placed at the disposal of the Agricultural Engineer out of the grant made by the Government of India from the profits of the controlled sale of wheat during the War. This was to be utilized for the purchase of a stock of machinery for special conditions for which budget grants were not ordinarily available. Rupees 1,03,713 was spent on 36 deep well turbine and vertical pumps purchased from America. They were stocked for use under special conditions. Up to date pumps to the value of Rs. 32,000 have been installed free of cost, and Rs. 70,000 remain in stock and will be utilized as required.

**MOSAIC AND RED ROT IN SUGARCANE KNOWN AS  
SHAHJAHANPUR NO. 48.**

\* 5. **Khan Bahadur Hafiz Hidayat Husain:** Is it a fact that sugarcane variety of Dr. Barber known as Shahjahanpur No. 48, has contracted a disease known as Mosaic and red rot?

Is it a fact that this disease is spreading in cane No. 48 Shahjahanpur?

Is it also a fact that the cane is still being backed up?

What is the approximate area covered by this variety?

Is any safeguard being taken to check the disease?

**The Hon'ble Thakur Rajendra Singh:** No variety of sugarcane is immune from Mosaic and red rot, and no sugar-producing country is free from these.

Shahjahanpur No. 48 is less liable to attack than most varieties in the cultivators' fields.

Observations were made by the Director this year on approximately 20,000 acres in Hardoi, Kheri, and Shahjahanpur. Mosaic attack was under one-half per cent. compared with fifty to one hundred per cent. infection in some varieties. Red rot was entirely absent.

Shahjahanpur No. 48 has become an established crop in many districts where soil and climate are suitable. It has doubled the yield of sugar over a large area. The cultivation is increasing where soil conditions are suitable. It is not being distributed in tracts where the soil and climatic conditions are not suitable. The total area under this sugar in the province is not known. There were approximately 30,000 acres in the tahsils of Hardoi, Kheri, and Shahjahanpur, where records were kept by the revenue authorities.

Steps are being taken to avoid the occurrence of Mosaic and red rot in all varieties of sugarcane by instructing the cultivators, where necessary, in suitable methods of cultivation and seed selection.

**DEVELOPMENT OF COTTON KNOWN AS "ALIGARH WHITE FLOWER."**

\* 6. **Khan Bahadur Hafiz Hidayat Husain:** Is it a fact that one of Dr. Parr's cotton variety known as "Aligarh white flower" is a great favourite with the cultivators? What steps have the Government so far taken, or do they propose to take, for its development in other districts besides Aligarh?

**The Hon'ble Thakur Rajendra Singh :** The cotton known as "Ali-garh white flower" is largely grown in the Western circle, but is being gradually replaced by a superior variety known as Aligarh 19.

The question of the development of Aligarh white flower in other circles was examined and reported on by the Indian Cotton Committee in 1919. Government have followed the recommendations made in paragraph 60 of the report of the Committee.

#### TUBE WELL OF BAREILLY.

**\* 7. Khan Bahadur Hafiz Hidayat Husain :** Is any tube well being built at Bareilly for Babu Dhakan Lal? Is it a fact that in the sinking of this well the department has spent about Rs. 12,000 on boring pipes and an engine? Is the well ready now? Did the Agricultural Engineer visit this well, and, if so, when?

**The Hon'ble Thakur Rajendra Singh :** Yes; Rs. 10,500 has been spent up to date. The first boring was a failure, and the Director of Agriculture has inquired into the case and taken disciplinary action against the mechanic responsible. The well is not yet ready. The second and third Agricultural Engineers have inspected it at various times.

**Khan Bahadur Hafiz Hidayat Husain :** Was the site selected by the Agricultural Engineer?

**The Hon'ble Thakur Rajendra Singh :** I do not know.

**Pandit Brijnandan Prasad Misra :** By whom was the work supervised?

**The Hon'ble Thakur Rajendra Singh :** By the Assistant Agricultural Engineer.

**Pandit Brijnandan Prasad Misra :** Why was only the mechanic punished?

**The Hon'ble Thakur Rajendra Singh :** The Director made inquiries and found only the mechanic at fault.

**Pandit Brijnandan Prasad Misra :** Was not the supervisor also responsible for the inefficient supervision of the work?

**The Hon'ble the President :** That is a matter of argument.

#### GRANT OF MUNICIPALITY TO HALDWANI.

**\* 8. Khan Bahadur Hafiz Hidayat Husain :** Was a memorial signed by both the Hindus and the Muslims submitted to the Government in July, 1925, requesting that Haldwani be granted a municipality?

Has a municipality been allowed to Haldwani, and, if so, from which date?

**The Hon'ble Nawab Muhammad Yusuf :** No.

**\* 9. Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of Government till April 2, 1927.*]

#### TRAINING OF LANGUAGE TEACHERS.

**\* 10. Khan Bahadur Hafiz Hidayat Husain :** Are there any training classes now open for training the Munshi, Munshi Fazil, Kamil, and

Dabir Kamils of the Allahabad and Lucknow Universities? Did these classes exist before? Will the Government open these classes over again?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member presumably refers to the classes held at the Lucknow Training College for the training of language teachers. These were discontinued in 1922. Government will examine the matter.

\* 11. **Khan Bahadur Hafiz Hidayat Husain :** Are Munshi, Munshi Fazil, Kamil, and Dabir Kamils employed as language teachers in normal schools? If not, why?

**The Hon'ble Rai Rajeshwar Bali :** Yes, if trained.

#### TIME-SCALE TO MODEL SCHOOL TEACHERS.

\* 12. **Khan Bahadur Hafiz Hidayat Husain :** Do model school teachers get the benefit of time-scale? If not, why?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to the answer given to starred question No. 13 on March 22, 1927.

*Copy of starred question No. 13 asked on March 22, 1927, and the reply given thereto.*

#### QUESTION.

\* Are the teachers of model schools attached to the Government normal training schools provided with time-scale? If not, why not?

#### REPLY.

\* The honourable member is referred to the reply given to starred question No. 17 for March 16, 1925.

*Copy of starred question No. 17 asked on March 16, 1925, and the reply given thereto.*

#### QUESTION.

\* (a) Will the Government be pleased to state whether it has taken any action on the resolution which was passed unanimously on January 30, 1923, regarding the grant of time-scale of pay to model school teachers?

(b) If the answer to the above be in the affirmative, will the Government please state when it is likely to be given effect to?

(c) If the answer to part (a) be in the negative, will the Government please give reasons?

(d) Will the Government be pleased to state if it now proposes to introduce time-scale of pay among the aforesaid teachers?

#### REPLY.

\* The honourable member is referred to the proceedings of the Legislative Council meeting held on March 3, 1925, when a resolution on the subject was moved by Babu Parsidh Narayan Anad Sahib.

#### EXTENSION OF SUMMER VACATIONS FOR SCHOOLS AND COLLEGES.

\* 13. **Khan Bahadur Hafiz Hidayat Husain :** Do long vacations for schools and colleges terminate this year on July 10? Is the Government aware that July 10 corresponds with 10th of *Muharram* this year? Do Government intend to extend the holidays to July 15?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member is referred to paragraph 174 of the Educational Code and its footnotes 1 and 2.

## ALKALI TRACTS IN FATEHPUR DISTRICTS.

\* 14. **Khan Bahadur Hafiz Hidayat Husain**: Are Government aware that Alkali tracts are increasing in Fatehpur districts?

Are Government also aware that these tracts can be improved by sowing wild leguminous plants and by making ridges for accumulation of water?

**The Hon'ble Thakur Rajendra Singh**: No.

Experiments have been carried out for improving alkali soils by washing out the salts and growing and ploughing in a crop of *crotolaria juncea*. A certain measure of success has been obtained with mild alkali soil, but the experiments were not generally successful with soil heavily impregnated with alkali.

The honourable member will find a full account of the experiments in the reports of the Partabgarh experimental station, 1915 to 1918, and in the reports of experimental station of the Eastern circle, 1919.

**Babu Sampurnanand**: What is the Hindustani equivalent for *crotolaria juncea*?

**The Hon'ble Thakur Rajendra S** : I do not know.

## MONKEY PEST IN FATEHPUR AND ETAWAH.

\* 15. **Khan Bahadur Hafiz Hidayat Husain**: Are Government aware that monkey pest is becoming serious in some of the villages of Fatehpur and Etawah districts?

What measures are Government taking to remove this pest?

Have the Government considered the question of transporting them to the hilly tracts where there is plenty of vegetation but no cultivation?

**The Hon'ble Sir Sam O'Donnell**: If the monkey pest were limited to a few localities and a small number of monkeys, deportation might offer a cure. But it is widespread and almost unlimited, and the extent to which deportation is practicable would hardly touch the fringe of the trouble. The accessible parts of the hills have villages and cultivation just as much as the plains; while transport of large numbers of monkeys to the remoter parts of the hills would be very difficult to arrange, if it could be arranged at all, and the cost would be prohibitive.

**Pandit Iqbal Narayan Gurtu**: Will not the hill exodus help them morally and spiritually?

**The Hon'ble Sir Sam O'Donnell**: I leave it to the honourable member to decide that point.

## EXTENSION OF WATER-SUPPLY SCHEME, ALMORA.

\* 16. **Pandit Badri Dutt Pande**: (a) Does Government know that there is great scarcity of water in the town of Almora?

(b) Has the municipality of Almora submitted a scheme for the extension of water-supply?

(c) Do Government intend to sanction the scheme and issue the necessary loan asked for this year?

**The Hon'ble Rai Rajeshwar Bali:** (a) The present water-supply at Almora is not sufficient.

(b) Yes.

(c) The financial aspect of the scheme is under examination. It will not be possible to sanction the scheme or issue the loan this year.

**Pandit Badri Dutt Pande:** Will Government give reasons for not putting into force the scheme this year?

**The Hon'ble Rai Rajeshwar Bali:** The scheme is not yet ready.

**Pandit Badri Dutt Pande:** When will it be ready?

**The Hon'ble Rai Rajeshwar Bali:** I cannot say.

\* 17. **Pandit Badri Dutt Pande:** [*Postponed at the request of Government till April 2, 1927.*]

PROSECUTION OF TOOLA PANDE OF MUHAMMADABAD, GHAZIPUR.

\* 18. **Thakur Shiva Shankar Singh:** Is the Government aware of the fact that one Toola Pande of Muhammadabad, district Ghazipur, was prosecuted in 1926, under section 110, Criminal Procedure Code?

**The Hon'ble Sir Sam O'Donnell:** Yes.

\* 19. **Thakur Shiva Shankar Singh:** Will the Government be pleased to state when the case first came for hearing before the learned magistrate, and when was it concluded?

**The Hon'ble Sir Sam O'Donnell:** The first hearing was on June 7, 1926, and judgement was given on November 8, 1926.

\* 20. **Thakur Shiva Shankar Singh:** (1) When was the prosecution evidence finished?

(2) When did the defence evidence commence and when was it concluded?

(3) How many defence witnesses were summoned for each day, and how many of them were examined daily?

**The Hon'ble Sir Sam O'Donnell:** (1) On August 12, 1926.

(2) On August 20 and October 30, 1926, respectively.

(3) Two hundred and two defence witnesses were summoned, of whom 106 were examined. They were summoned in batches at the rate of ten a day at first, and later, at the request of the defence, at the rate of five a day. On the average between three and four witnesses were examined on each day on which the case was taken up.

\* 21. **Thakur Shiva Shankar Singh:** Was there any order demanding security from the accused? If so, what was the duration and the amount of security demanded?

**The Hon'ble Sir Sam O'Donnell:** Yes. The accused was required to furnish four sureties in Rs. 1,500 each and a personal bond of Rs. 1,000 to be of good behaviour for a period of one year.

\* 22. **Thakur Shiva Shankar Singh:** Was the judgement upheld or set aside on appeal?

**The Hon'ble Sir Sam O'Donnell :** It was set aside.

**\* 23. Thakur Shiva Shankar Singh :** Has the learned district judge remarked in his judgement—

- (a) that the case was run and decided on communal lines ;
- (b) that the lower court has easily accepted the evidence and indirectly helped the prosecution which, in the opinion of the appellate court was rather a persecution of the man ?

**The Hon'ble Sir Sam O'Donnell :** Government had not yet seen the judgement, a copy of which has been sent for.

**Thakur Shiva Shankar Singh :** When is the judgement expected ?

**The Hon'ble Sir Sam O'Donnell :** I cannot say. I think it will be received shortly.

**Thakur Shiva Shankar Singh :** Is the Government justified in implicating a man when he has been held by a competent court to be of good behaviour ?

**The Hon'ble Sir Sam O'Donnell :** I have not seen the judgement.

**\* 24. Thakur Shiva Shankar Singh :** What action has the Government taken against the magistrate for running and deciding the case on communal lines ?

**The Hon'ble Sir Sam O'Donnell :** The matter will be considered when the judgments are received.

**\* 25. Thakur Shiv Shankar Singh :** Is it a fact that—

- (a) Toola Pande is still kept under surveillance;
- (b) if so, by what authority ?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes.

(b) By the order of the superintendent of police and the approval of the present district magistrate.

**Thakur Shiva Shankar Singh :** In answer to question No. 25, paragraph (a), Government says "Yes"; is the Government justified in doing so ?

**The Hon'ble Sir Sam O'Donnell :** The Government have not had to do anything in the matter. The man was placed under surveillance by the orders of the superintendent of police with the approval of the District Magistrate.

**Thakur Shiva Shankar Singh :** Will the Government make inquiries into the matter ?

**The Hon'ble Sir Sam O'Donnell :** I have already said that we have not seen the judgement and that we have sent for it.

**\* 26 and 27. Thakur Shiva Shankar Singh :** [*Postponed at the request of Government till April 2, 1927.*]

**\* 28. Thakur Shiva Shankar Singh :** (a) Is the Government aware that the City high school at Ghazipur is the only institution where special classes for admission of vernacular final passed students are maintained ?



(b) Is it a fact that for want of sufficient accommodation a good number of students are refused admission?

(c) Has the public of Ghazipur submitted any memorial for a special building grant to extend the present building?

(d) What steps do the Government intend taking in the matter?

(e) Is it a fact that the Department of Education is negotiating with some Mission to hand over the said school to them?

**The Hon'ble Rai Rajeshwar Bali :** (a) Yes, in Ghazipur.

(b) Government have no information regarding the number, but it is a fact that there is need for additional accommodation.

(c) Government have received a memorial asking them to "give careful attention to the condition and requirements of the institution."

(d) and (e) The Board of Trustees of the Mission Trust of Northern India, in whom the property is vested, are negotiating with a mission with a view to transferring the building to them. Government will consider any application which the new management may make for improving the building.

#### VETERINARY ASSISTANT SURGEONS.

\* 29. **Chaudhri Mangat Singh :** Are the veterinary assistant surgeons Government servants or the servants of the district or municipal boards under which they serve? Who pays them? Who can decide questions relating to their appointment, dismissal, transfer, reduction, and punishment?

**The Hon'ble Thakur Rajendra Singh :** Veterinary assistant surgeons are Government servants lent to boards. For each veterinary assistant surgeon employed by district boards the board pay Rs. 672 and the Government Rs. 378 per annum. As regards the last part of the question, the honourable member is referred to the rules which were made under section 56 of the old District Boards Act.

\* 30. **Chaudhri Mangat Singh :** Can a district board reduce a veterinary assistant surgeon without the sanction of the Veterinary Department?

**The Hon'ble Thakur Rajendra Singh :** The honourable member is referred to section 85 of the United Provinces District Boards Act, 1922.

\* 31. **Chaudhri Mangat Singh :** Is there any such case of any veterinary assistant surgeons having been brought under reduction without the sanction of the Veterinary Adviser? If so, who are they? Have the Government decided such cases? If not, why not?

**The Hon'ble Thakur Rajendra Singh :** There are a few such cases which are being considered by Government.

**Chaudhri Mangat Singh :** With reference to question No. 31 will the Government be pleased to state for how long these cases have been pending with them?

**The Hon'ble Thakur Rajendra Singh :** I have no information.

**Chaudhri Mangat Singh :** What are the reasons for this procrastination on the part of the Government?

**The Hon'ble the President :** This is an insinuation.

**Chaudhri Mangat Singh :** Are there any special reasons for the delay in arriving at a decision relating to these cases ?

**The Hon'ble Thakur Rajendra Singh :** We are in correspondence with district boards.

**Chaudhri Mangat Singh :** When will it be possible for the Government to decide these cases ?

**The Hon'ble Thakur Rajendra Singh :** As soon as possible.

**\* 32. Chaudhri Mangat Singh :** [*Postponed at the request of Government till April 2, 1927.*]

#### ARMS LICENCES IN GANGOH, SAHARANPUR.

**\* 33. Chaudhri Mangat Singh :** How many arms licences of the people of Gangoh were cancelled by the Sub-Divisional Officer, Nakur, district Saharanpur, within the last two years ? Why were they cancelled ? What are the names of the gentlemen whose licences were cancelled ? How much do they pay as income-tax and Government revenue ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No arms licences have been cancelled by the Sub-Divisional Officer, Nakur, within the last two years. The rest of the question, therefore, does not arise.

**\* 34. Chaudhri Mangat Singh :** *Postponed at the request of Government till April 2, 1927.*

#### PASTURE LAND IN SAHARANPUR.

**\* 35. Chaudhri Mangat Singh :** How much land in Saharanpur district has been left by the Forest department for grazing of cattle as pasture land ? Do the Government charge anything for such grazing ? If so, what ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :**  
(a) About 87,000 acres are open to grazing in the Saharanpur Forest division.

(b) Yes.

(c) The grazing rates in force under the orders of Government are given in the attached statement.

(See Appendix A, page 766.)

**\* 36 and 37. Chaudhri Mangat Singh :** [*Postponed at the request of Government till April 2, 1927.*]

#### GRAZING FEES IN RAMNAGAR TAHSIL, NAINI TAL.

**\* 38. Pandit Govind Ballabh Pant :** How many head of cattle in the Tera village in Ramnagar tahsil in Naini Tal district are entitled to graze free according to the forest settlement rights list ?

What was the total number of cattle in the village last year, and what is it now ? Were any grazing fees realized from the village ? How much ?

**The Hon'ble Lieutenant Nawab Muhammad Ahmad Sa'id Khan :** The position is not yet clear, and further inquiry is being made. An answer will be given when full information is available.

**ACCEPTANCE OF UNSTAMPED RECEIPTS BY DISTRICT BOARD, BANDA.**

\* 39. **Thakur Har Prasad Singh :** (1) Is it a fact that Lala Parmanand was run in for giving an unstamped receipt to the purchaser of certain trees belonging to the district board, Hamirpur? If so, will the Government be pleased to state if it approves the said prosecution?

(2) Is it a fact that many cases of the district board in which unstamped receipts were issued by members and others were brought to the notice of the district magistrate but he did not prosecute them under the Stamp Act? If it is so, why?

**The Hon'ble Sir Sam O'Donnell :** (1) Yes.

(2) No.

**INTERFERENCE IN THE ELECTION OF CHAIRMAN, DISTRICT BOARD, BY THE AUTHORITIES IN JHANSI, HAMIRPUR, AND BANDA.**

\* 40. **Thakur Har Prasad Singh :** Will the Government be pleased to lay on the table the findings of the Commissioner of Jhansi division in cases of interference in the election of chairman, district board, by the authorities in Jhansi, Hamirpur, and Banda?

**The Hon'ble Nawab Muhammad Yusuf :** A copy of the report is laid on the table.

*(See Appendix B, page 766.)*

**Pandit Govind Ballabh Pant :** Was any request made to the Hon'ble Minister that the report may be privately given to some persons interested in it so that they may submit their criticisms to the Minister before its publication?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Pandit Govind Ballabh Pant :** Was that request entertained?

**The Hon'ble Nawab Muhammad Yusuf :** Not, unfortunately.

**UNSTARRED QUESTIONS.**

1 to 3. **Raja Khushal Pal Singh :** [*Postponed at the request of Government till April 2, 1927.*]

**BUDGET, 1927-28.**

**DISCUSSION OF DEMANDS FOR GRANTS.**

**HEAD 25.—JAILS AND CONVICT SETTLEMENTS.**

**Demand No. 16.**

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I beg to communicate to the House the recommendation of His Excellency that a sum of Rs. 34,18,040 be granted under the head Jail, and I move that the said amount be voted.

This is one of the departments which has always been the target of criticism by the honourable members of this House. Allow me, Sir, to admit at the very outset that many of the criticisms made by the honourable members are responsible for many reforms in the Jail department. Therefore, so far from complaining against them, I am grateful for the criticisms that were made in the past and which materialized in so many reforms which were introduced in the jails in the past. Now I shall very briefly mention some of the reforms which were introduced during the year which is about to close. (1) The revision of the Jail Manual is now approaching completion, and the honourable members may rest assured that the criticisms made by them from time to time are receiving our full consideration in the revision of the Jail Manual. (2) Sundays are now complete holidays in the jails, except for essential services, and ten days' holidays are given in the course of the year for important Hindu, Muhammadan and Christian festivals. (3) Arrangements were made in 1926 to purchase grain on large contracts with the result that the quality of the grain provided has improved. (4) Oil mills of improved types promised last year have now been supplied in some of the jails, and the rule has been made that prisoners should only work in the oil mills for a spell of fifteen days unless they voluntarily agree to work further. (5) Proper regulations have been made in the Jail Manual for the sending of prisoners to civil hospitals in case of surgical emergencies. (6) Special rules have been made for the diet of prisoners, for those to whom the ordinary diet is unsuitable either on the ground of health or because it is a diet to which they are not accustomed. (7) The vegetable ration has been raised from 6 ozs. to 8 ozs. a day. Arrangements have been made for the better segregation of female prisoners of different classes in selected jails. (8) Every female convicted under the age of 40 is on transfer to these jails. (9) Arrangements have been made for an increase in the female warder staff. (10) Books for jail libraries have been provided.

Besides this, there are three more reforms which we intend to introduce during the year if money is voted by this House. One of them is rather an important reform. (1) We intend to open some vocational schools in our jails to train our prisoners in carpentry, blacksmith work, and weaving and dyeing. (2) Proposals have been approved for improving the staff of the Sultanpur jail so that it may become more efficient for tuberculosis patients. (3) There is also a plan for building a new central jail at Meerut. This is a very important proposal because it is the only remedy for relieving overcrowding in our jails, and many of our reforms depend on the completion of the building of this jail. For instance, the reform of segregating completely long-term habitual prisoners. There are many other reforms that have been introduced during the last three or four years, but I do not wish to waste the time of the Council by reading them all here. Nor shall I waste the time of the honourable members by showing the economy in this department because the department has never been attacked by anybody for extravagance. The second point in which the honourable members have always shown great interest is the health of our prisoners. The honourable members will notice that mortality in our jail population is only second to Burma and Central Provinces. In this connexion it is important to note that our jail population daily average was in 1925, 28,343, while the next higher were Madras and Punjab with a jail population of 19,577 and 19,554. The

provinces that have shown better results than ours have got much less jail population and therefore, taking our huge jail population into consideration, our figures are extremely satisfactory. The other point which is also significant is the increase and loss of weight of our prisoners, and the honourable members will note that out of 38,000 men who were released in 1929 only 3,000 lost weight, 25,000 gained weight, and 10,000 were stationary.

Instead of wasting the time by a lengthy speech I wish to close, and in the end I beg to say that there is nothing further from my mind than to say that the conditions in the jail department are in any way ideal. I do not believe that they are so. On the other hand, I maintain that there is much room for improvement, but the honourable members will agree with me that we are trying and working in the right direction. I know that much can be done by education of our juveniles, but the honourable members will notice that we are starting vocational education for our prisoners, and, if money is forthcoming, we have such scheme ready for the general education of our juveniles. In my short speech I have tried to prove two things. One that the health of our prisoners is not bad. The second thing is that many reforms have been introduced in the jails of these provinces.

At the end I have got to tender an apology to the honourable members of this House for a promise which was made to them last year but which could not be fulfilled for unavoidable reasons. We promised them that we were going to supply Jost fans to the prisoners who required them either for medical reasons or for reasons of their society or their mode of living; but when we consulted our medical advisers we were told that a Jost fan in a small cell will defeat its own purpose. Instead of bringing down the temperature it will raise the temperature, and for this reason we did not supply the Jost fan. But we have got a scheme which is not very costly for electrifying two of our jails at Agra and Naini, and if money is voted by honourable members it will be done in due time. Meanwhile, I have to assure the honourable members, as I have been assured by the Inspector-General of Jails, that, as far as the question of punkha-pulling by Indian prisoners on Europeans is concerned, that question is not going to arise.

**Pandit Bhagwat Narayan Bhargava:** With your permission I will substitute Rs. 10,000 for Rs. 40,000.

*Permission was granted.*

**Pandit Bhagwat Narayan Bhargava:** I beg to move a (substantive) reduction by Rs. 10,000 of item concerning "(4) Supplies and Services" (page 81 of the Detailed estimates) under sub-head "B—Central Jails."

I would not have moved any reduction under a head which comprises several important items, such as dietary, clothing and bedding, sanitation, etc., if I had found that the Government was going to raise the quality of the food supplied to Indian prisoners or to make any sort of improvement in the clothing given to them, or if I had found that the Government was going to remove the invidious distinctions between the treatment given to the European and the Indian prisoners in jails.

**The Hon'ble the President:** So far as the question of treatment goes it cannot be discussed here.

**Pandit Bhagwat Narayan Bhargava:** I am not discussing that. Honourable members will notice that under the head "Dietary charges"

[Pandit Bhagwat Narayan Bhargava]

we have always found over-estimating of expenditure. In the year 1924-25 the budget provision was 5,10,; the revised figures were 4,17, but the actuals were only Rs. 3,93,352, so there was a difference of more than a lakh of rupees between the budget estimate and the accounts. In the year 1923-24 the budget estimate was Rs. 5,62,100, and the actual expenditure in that year was only Rs. 4,88,719. We also find from the appropriation report that under dietary charges there has always been a good deal of saving, which saving was diverted to other sub-heads. In the report for the year 1924-25 we find that under dietary charges there was a saving of Rs. 2,47,050. In the same year we find from the report that there was a saving of Rs. 21,857 under clothing and bedding for prisoners. Similarly, there was a saving under hospital charges. What I mean to say is this that the Government has been making provision for demands under dietary charges, under clothing, under hospital charges etc., which come under the sub-head "Supplies and Services" much more than they needed. We further find that in the year 1924-25 an amount of Rs. 1,27,457 was diverted from dietary charges to jail manufactures. Similarly, in the year 1923-24 we find that under this head there was a large saving to the extent of Rs. 3,48,633.

Then we have also to consider that the number of prisoners does not necessarily increase every year to make increased provision necessary for dietary charges. The Government report for the year 1924, as well as for the year 1925, clearly says that on account of the fact that vegetables worth more than a lakh are being given free to the prisoners the dietary charges ought to decrease. Certainly they ought to decrease, but the Government does not actually decrease them. Then we also find that the number of prisoners which exists at the beginning of the year does not continue up to the end of the year because under certain rules remissions to thousands of prisoners are given during one year. In the year 1925 as many as 12,571 convicts were released under good conduct remission rules, and special remission was given to 5,449 prisoners. I know that the rate per head for diet was a little higher in the year 1925 than what it was in 1924, but the reason for that was not an increase in the number of prisoners, but, if I may say so, it was due to a bit of recklessness on the part of the jailors or the Jail department, as has been admitted by the Inspector-General of Prisons in his report. He says in his report for the year 1925 under "Dietary charges" that "there was a marked increase of Rs. 2,97,231 in the expenditure under this head, due *mainly* to the fact that purchases of grain at harvest time were made at higher rates than in the previous years and grain was stored for six months only in the anticipation that rates would fall in the autumn." If they had used a bit of care they would have avoided this loss as they admit further in the same report that "the members of the Grain Purchase Committee who decide our purchase policy each year are now of opinion that year in and year out the general principle that the cheapest time to purchase is after the rabi harvest and that purchases should then be made for the whole year is a sound one. If this general principle is followed the years in which loss from grain storage operations will occur should be few and far between, as it is very rarely that prices fall in the periods subsequent to the harvest." So my submission is that if proper care had been taken this increase would not have occurred.

Then if we come to the figures themselves as given in the budget before us we find that there is an increase of about twelve thousand under items beginning from "Hospital Charges" to "Live stock, tools and plant." I would further submit that the cost under "Clothing," so long as the clothing which is at present given to the prisoners continues, should have been reduced because the Government every year is getting increasing profit by increased expenditure on jail manufactures. Clothing is prepared in jails, and the larger outturn and consequent profit which is being made every year, ought to reduce the rates of the products of the jail manufactures and thus the amount under clothing and bedding charges should also decrease.

I have submitted that under these five items there is an increase of Rs. 12,000, but I have moved a reduction of only Rs. 10,000. Even while moving this reduction we do not take into consideration the large provision under dietary charges, for which, as I have already shown, Government have always provided a much larger amount than was actually needed. The reduction proposed ought to be reasonably accepted. I have also shown that under this head the savings are diverted to other unimportant heads.

In these circumstances I hope the honourable members will see their way to support my motion.

**Mr. E. A. H. Blunt:** The honourable member has pointed out that in 1923-24 and 1924-25 there were considerable savings on dietary charges. It is perfectly true. We have to budget in November for these dietary charges, and naturally we can only do it at approximately the prices then prevailing. Afterwards if the prices go down, we save. I cannot believe that anybody in the Council will object to it. Besides, to some extent the method of purchase was changed in these years, and that also partly accounted for the saving. The recklessness alleged in 1925-26 was not the recklessness of the jailors or of anybody in the department. It was the Grain Purchase Committee who decided how the purchases were to be made: jailors were not allowed to buy on their own account; purchases were made as directed by the committee.

As to the jail manufactures, the honourable member complains that expenditure on that account is going up. As a matter of fact, it has nothing to do with this year. There is a separate head for jail manufactures. He also conveniently forgot that the receipts under manufactures are also going up. To whatever extent the expenditure may have gone up the receipts have also gone up.

As for the accusation that we always save under dietary charges I may say at once that it is not justified by facts.

The budget estimate for 1926-27 was Rs. 4,30,000, while the revised was Rs. 5,30,000 under dietary charges, that is, a lakh of rupees more than the budget estimate. Where is the over-budgeting? As to the rest of it, there are minor variations—a reduction of Rs. 2,000 under Hospital charges on the budget of last year, an increase of Rs. 3,000 under clothing and bedding charges over the revised, but a reduction of Rs. 3,000 over the last year's budget estimate. There is a large reduction under sanitary charges, due entirely to a change in classification. There is a small increase of Rs. 671 under miscellaneous. There must be some variations; but I submit that in a budget of 6½ lakhs a variation of Rs. 12,000 or so is nothing. Moreover, I should like to remind him that on the total figure—

[Mr. E. A. H. Blunt.]

as compared with the revised the variation is not an increase but a decrease of Rs. 22,000.

**Pandit Bhagwat Narayan Bhargava :** Mr. Blunt misunderstood me when he says that I had complained that the charges under jail manufactures were increasing. What I said was that a large amount had been diverted during these two years to which I referred from dietary charges to jail manufactures and my point was that always we have found saving under dietary charges. No indication has been given that the number of prisoners is going to increase very much during the next financial year. The cost per head has certainly increased, and I think that the number of prisoners, which was a bit higher in the year 1925 than it was in the year 1924, is all the more reason why we should expect that number will still go down in the next year because the prisoners would have served their term by that time for these reasons. I beg to press my motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** My friend seems to be under the impression that the jail population is not increasing. It is not so, because here are figures for the past five years, and the percentage from year to year will show that the jail population is gradually increasing. Our daily average strength in 1921 was Rs. 25,164; in 1922, Rs. 26,778; in 1923, Rs. 27,949; in 1924, Rs. 27,996, and in 1925 it was Rs. 28,343. This shows very clearly that, instead of decreasing, our jail population unfortunately it is increasing. I wish it would have been otherwise. I wish that there would have been less dacoity, less crime, and our jail population would have been decreasing; but we find our jail population increasing, and we must provide for the dietary of these prisoners. Besides this, as the honourable members are aware that life convicts are not sent to the Andamans any more. We have to keep them here, and this is also one of the reasons why our jail population is increasing. Besides this special dacoity police is working and they are capturing gangs, and this is also one of the reasons why the jail population is increasing. Therefore, as far as this is concerned, i.e., the question of increased jail population, there is not the slightest doubt that it has been increasing for the last five years and we are afraid that there may be further increase in the year for which the budget has been presented to the House. My honourable friend also mentioned that we are spending recklessly in the jails. That is not the case. Here are a few figures which show very clearly that we are spending much less than in other provinces. In Bengal Rs. 123 per head, in Bihar and Orissa Rs. 100, in the Punjab and in the United Provinces Rs. 62. So we are spending much less than any other province per head, and therefore I do not think that the honourable member should press the motion to a division. After all, I do not think it is right for honourable members of this House to blow hot and cold in the same breath. They say you should make improvements in the jail, you should give better diet, you should try to introduce new reforms, and still they want to make substantial cuts in the jail budget. How is it possible to reconcile these two views? I hope the honourable member will withdraw his motion.

*The motion was put and negatived.*

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I beg to move a substantive reduction by Rs. 5,000 of item concerning "district jails" (page 82 of the Detailed estimates under sub-head "Pay of establishment.")



By moving this motion I wish to draw attention to the following point. Honourable members will find that in 1925-26 the expenditure under this sub-head was Rs. 5,93,495; while in the budget estimate of 1926-27 it was Rs. 5,99,939, but what we see in this budget is that in the revised estimate for 1926-27 the expenditure incurred is Rs. 6,10,000. And as details are not given herein so we cannot compare in what items there was particular increase. Now they are budgeting for 1927-28 a sum of Rs. 6,05,500, that is less than that spent, or as shown in the revised estimate of 1926-27. It is really very wonderful that when they presented the budget for 1926-27 the estimate was for Rs. 5,99,939, and now they ask for Rs. 6,05,500, but they had spent actually Rs. 6,10,000. I think this manner is greatly objectionable, and the department should try to see that they do not spend more money than what is budgeted for, otherwise our examining and discussing all these details minutely will practically be useless.

The second point I want to draw attention to is that there is an item "purchase of religious books", in front of which there are three dots, i.e., not a single book has been supplied or a single pie budgeted for this purpose for three years. We have insisted on such books being supplied for prisoners, so that they may improve their morals. It will be agreed that religion is in India a great factor, and that if people learn that their religion forbids the commission of certain offences some of them at least when they leave jail will be reformed.

**The Hon'ble the President:** The item of books does not come under the head of "establishment," but under "Supplies and Services."

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I thought that by moving this substantive cut I might be able to bring both points before the Government, and, if you will permit me, Sir, I shall do so.

**The Hon'ble the President:** That cannot be done now—it is a separate item and should come under "Supplies and Services".

**Mr. E. A. H. Blunt:** The honourable member, I understand, objects to the fact that the revised is Rs. 10,000 higher than the budget estimate. I would ask him to remember that the estimates are *merely* estimates, they are the guesses of various people, I think we may call them intelligent guesses, at the amount that is going to be spent. The estimates are calculated as closely as possible, but anything may happen to upset the estimates. We are not prophets, we cannot foresee everything that is going to happen during the next year, and, if by chance anything does happen that we did not foresee, then our figures will be disturbed, it may be by an excess or it may be by a saving. In this particular case the increase is simply due to the fact that more of the jail officials took leave than usual; there may also have been additional temporary staff. This year we do not expect so much leave to be taken, and so the budget estimate has been reduced. The increase between Rs. 5,99,000 and Rs. 6,10,000 is perfectly ordinary. This sort of thing will be found again and again.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I understand that the point raised with regard to religious books . . . .

**The Hon'ble the President:** That is not before the House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As far as the question of increase is concerned that has been very clearly explained by the Finance Secretary. After all, the budget is but an estimate, and it always fluctuates, it either goes up or goes down. As far as this increase is concerned it is due mostly to some increments given to different subordinates in the jail service, and that is the reason why a little increase has taken place.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Saiyid Jafer Hosain :** I beg to move a substantive reduction of Rs. 3,000 in item concerning "Existing settlements" under sub-head "H(1)."

Honourable members, if they will refer to page 84 of the Detailed estimates, will find that there is an increase of over Rs. 3,000 over the Budget figures of 1926-27 under sub-head Recurring charges, existing settlements. I just want to know from the Inspector-General if there is any special reason for this increase in the grant this year. I will then decide whether to withdraw or press the motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The increase here is due to the fact that some of our old men have gone on leave and new men from the Salvation Army have come in. They are more senior men and are officiating for the men who have gone on leave. That is the reason why you find something more here this year.

**Khan Bahadur Saiyid Jafer Hosain :** I withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move the omission of Rs. 57,052 in item concerning "transfer of Bhandus to the Andamans."

The object of my motion is to register the strong protest of this Council against the transfer of the Bhandus, or, for the matter of that, of any section of the Indian people to the Andaman islands. The question is whether the Andamans ought yet to be preserved as a penal settlement? Some time, Sir, a committee of the Legislative Assembly was constituted, and the members of that committee went and inspected the island. The report which they submitted is miserable reading. Not very long ago again there was a discussion in the Legislative Assembly with regard to the transfer of the Moplahs to the Andaman islands, and a very strong protest against the action of the Government of India in transferring the Moplahs to the Andamans was entered into by one of the very members of the committee, Mr. Schamad. Mr. Schamad, when challenged in the Assembly by the Hon'ble the Home Member, emphasized that he registered the protest not only on his own behalf, but on behalf of the entire Indian people and repeated that the Andamans must be finally given up as a settlement. If the Andamans are not fit enough for the Moplahs they cannot be fit enough for any other people. The climate of the Andamans may be salubrious for the Europeans, but it did not suit the Indians. It is a most moist and unhealthy place and afflicts the inhabitants with various diseases, some of which are absolutely incurable. Then, Sir, the manner in which the people are huddled up there is nothing if not immoral. The disgraceful manner of the life which the inhabitants have necessarily to live is one which no civilized society ought to tolerate.

When we have now arrangements in the Indian jails for life prisoners who are not allowed to be deported to the Andamans because the island has been given up as a penal settlement, is there any reason now why one section of the inhabitants of these provinces, however criminal their proclivities may be, should be sent to the Andamans? I hope, Sir, I shall have the unanimous support of the Council when I ask for the refusal of this demand because by doing so we should be registering our protest against the transfer of any section of the Indian people to the Andamans, which is a degraded place, an immoral place, a most unhealthy place, and a most uncivilized place.

**Shaikh Muhammad Habib-ullah:** The honourable member for Cawnpore has pleaded in favour of the Bhandus by saying that the Andaman islands are the most unsuitable place for them to settle. Perhaps the honourable member does not know what the Bhandus really are. He treats them as human beings. They are not. They are carnivorous in their nature and are in the form of human beings. They are worse than carnivorous beings. They are used to live in climates worse than that of the Andamans, and they acclimatize themselves in any kind of climate in which they live. My honourable friend has quoted the instance of the Moplahs. The Moplahs are quite a different sort of people. They are not in any way of the nature of the Bhandus. They have tried in every possible way to make the Bhandus civilized. Year after year the Government has been making efforts to colonize them, to give them a happy home, and make them civilized. But with what result? Now we have rounded up and arrested them. This was done under very peculiar circumstances. We knew where their families were living, where their mothers, wives and sisters were living, but we could not lay our hands on the men. We knew that they were in existence, but we could not lay our hands on them. Their work was to annihilate and destroy the people or rather the brethren of the people who have pleaded their cause. I think my honourable friend, by making this destructive criticism, has not suggested any place to keep them and to make them civilized on the lines suggested by him. I think the Andamans is the only place to keep them.

**Mr. Zahur Ahmad:** I had no intention of saying anything regarding the subject under discussion. But after having heard my learned friend, Shaikh Habib-ullah, I wish to make a few observations. The Hon'ble Member has just now said that we were making efforts to civilize the Bhandus. But I fail to understand why, having failed in the efforts to civilize them, he wants to send them to a place where it is quite impossible to civilize them any more. He suggested that the best course for us is to send them to a place where civilizing them must be an impossible task. The next point said by him is that the Bhandus can make themselves comfortable in any place and in any climate, and also that they can get themselves acclimatized in any place. Therefore, he says "send them to the Andamans." He also at the same time admits it was a worst place, but insists to send them to the worst place. I cannot understand the logic of his argument. If he thinks that the Andamans is a bad place for any human being to live in, then I submit, Sir, that whatever be the nature of the human being, good or bad, he should not be sent to that place under any circumstances. My learned friend thinks that because they are not civilized, and because they can acclimatize themselves anywhere, then

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they must be sent to the Andamans. I strongly oppose these remarks and support the motion of my learned friend, Hafiz Hidayat Husain.

**Khan Bahadur Saiyid Jafer Hosain:** It does seem an anomalous position for the Government to take up, inasmuch as on the one hand they do not want to send the convicts to the Andamans; yet, on the other hand, they think of sending the Bhantus to that place. I just want to put one question to the Hon'ble the Home Member, and it is this. I want to know whether the men in the keeping and control of the Salvation Army in the existing settlements are all going to be sent to the Andamans or only some of them.

**Rai Bahadur Thakur Hanuman Singh:** I rise to make a few observations in regard to the remarks which have just been made by my friend, Shaikh Muhammad Habib-ullah, about the transportation of Bhantus from India to the Andamans. It seems to me that my honourable friend had to deal with them when he was District Magistrate of Saharanpur and he found them a very troublesome lot. He can, therefore, be held to be prejudiced against them. The British Government claims that it can reform, civilize, and improve any section of the community. May I inquire, then, why the Government cannot reform the Bhantus who number between 50,000 or 60,000, and why they should be sent to the Andamans in charge of a person who is probably not an Indian, and, if an Indian, not of the same religion as the Bhantus themselves? To my mind the transportation of the Bhantus from India to the Andamans is not desirable, and should at once be stopped. I am very grateful to Khan Bahadur Hafiz Hidayat Husain Sahib for having brought forward a motion which has given the Council an opportunity to ventilate the grievances under which the Bhantus suffer.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The honourable mover, I am sure, will be quite satisfied on hearing my explanation on the point. He appears to be labouring under the misapprehension that Bhantus have been sent to the Andamans against their wishes. This is not the case. They have gone there of their own free will, and they are at liberty to return to India whenever they like. The reason why the Bhantus prefer to remain in the Andamans is that on return to India, if they are convicts, they have to serve their term of imprisonment in jail, or, if they are not convicts, their movements are watched by the officer in charge of the settlement. In the Andamans they get land to plough and remain quite free. Besides, they can earn remissions of their sentences by good behaviour.

The other point raised by my honourable friend, Rai Bahadur Thakur Hanuman Singh, was that an Indian of the same religion as the Bhantus was not sent with them. In the first place, I should like to know what the religion of the Bhantus is. This question, I remember, was raised some three or four years ago in this Council, and we undertook to depute a man with the Bhantus. That man was sent by a certain Sabha. I have just at present forgotten his name. We employed him as a naib-tahsildar, and he was in employment for some time; but when the time came for him to go to the Andamans, he said that his health was not good and that he could not go.

We simply wasted the salary on this man. That is the reason why we did not send any Indian with the Bhantus.

**Raja Jagannath Bakhsh Singh :** I want to say just a few words. I understand from the speech of the Hon'ble Home Member that, in other words, the Government say that the Bhantus prefer to live in the Andamans because their home and their country have been made worse for them than the Andamans.

**The Hon'ble Lieutenant Nawab Muhammad Ahmad Sa'id Khan :** Did I say so, Sir ?

**Raja Jagannath Bakhsh Singh :** The Hon'ble Home Member said, Sir, that here in India the position of the Bhantus was that either they would be sent to jails or they would be registered as criminals under the Criminal Tribes Act, and that is why they preferred the Andamans. It has not been proved that the place to which they are being sent is not a bad place so far as their health is concerned. I maintain that it is no argument to say that they have been sent there because they prefer to live there. If the conditions for them in this country were normal, then they would not prefer to go to the Andamans. I think that the Government has not met the points raised by the opposing members, rather they have supplemented the arguments of the opposition.

**Lala Nemi Saran :** The Hon'ble the Home Member has tried, Sir, to picture the condition of the Bhantus in the Andamans in a most picturesque way. I come from a district in which there is a Salvation Army settlement, and I may also inform the Hon'ble Home Member that during my stay in the jail as a prisoner I came in contact with Bhantus and I know of what stuff they are made and what is their religion. The statement made by the Hon'ble Home Member that they have no religion is not correct.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I did not say so. I simply expressed my ignorance as to what their religion was.

**Lala Nemi Saran :** I stand corrected. I may inform the Hon'ble Home Member that they have got a religion, and that they are Hindus. I may further point out that during my jail life I used to teach Gita to one of the Bhantus and he was my pupil. He still sends letters to me.

The second point which the Hon'ble Nawab Sahib made was that these Bhantus prefer to live in the Andamans than in India. Raja Jagannath Bakhsh Singh Sahib has made the point clear. I think, Sir, that when the conditions in India for them were worse than in the Andamans then they accepted to go to the Andamans. In fact, my honourable friend the Nawab Sahib has said that they are free to come back, as if the word "free" could be used for the Bhantus who are absolutely under the control of one settlement or the other or one prison or the other. Sir, my one question to the Government is this. What is their policy regarding these Andaman islands ? On what policy do they transfer these prisoners to those islands ? Is it their policy that they want to populate the islands which is uninhabited ? Do they want to create another Australia, which was once a penal settlement for England ? Do they want to convert the Andamans into another Australia for India. My opinion regarding this question of treating these Bhantus or people who have got certain bad instincts is that they should not be treated in the way in which they are now being treated. Sir, the honourable mover of this motion anticipated me by discussing this matter at this time. I myself had given notice of motion for reduction under the sub-head "Reformation of criminal" and there I wanted to discuss this question.

**The Hon'ble the President:** The honourable member will get an opportunity then.

**Lala Nemi Saran:** But, Sir, here the issue is this whether it is in the interests of the Bhandus and the society in which these Bhandus are produced that they should be sent to the Andamans, or it is better that they should live in India and their fate be made more civilized. In order to discuss that issue it is necessary that we should find out whether in India the treatment which they get is such that they can live a better life here than in the Andamans. Sir, as I have just said we are quite ignorant of the policy of the Government regarding the transfer of these Bhandus to the Andamans. If it is only a question of voluntarily sending people there who want to go there and to settle as peaceful citizens, and the Government also wants to help them there in changing their bad habits and in becoming better citizens, then, Sir, may I ask the Government have they submitted any report to the Council as yet in which they have shown what progress the scheme has made and in what way those prisoners or those persons who are transferred to the Andamans are treated by them? They have not told us what sort of religious and moral training is given to them there. My honourable friend, Rai Bahadur Thakur Hanuman Singh, put a question in the form whether there were any Indians who were put in charge of these Bhandus; whether there were any Indians who were put in charge of giving religious and moral instruction? To that the reply has come from the Hon'ble Home Member that he never knew whether they had any religion or not. Sir, it is also said that they wanted to send one Indian—a naib-tahsildar—to the Andamans with them, and the intention by sending him there was that he should be able to help these Bhandus in reforming their morals. But, unfortunately, that man could not get himself adapted to the climate of the place.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** He refused to go.

**Lala Nemi Saran:** Well, if he refused, if he could not go there then the responsibility of the Government is greater, and I would like to know what action the Government have taken to discharge the responsibility regarding the improvement of the morals and the conditions of these Bhandus in the Andamans. I think, Sir, before we can vote on this demand one way or the other it lies with the Government to enlighten us more on this point and to tell us whether the Bhandus who are there are really in a better condition and in a better position to reform themselves. As I have been warned that I would get another opportunity to speak on the subject I would not discuss the matter further. I would only say so much that we should like to hear from the Hon'ble Home Member what arrangements he has made about their training, about their other comforts of life, and about their future in the Andamans; and, also, what arrangements have been made about the offspring of the persons who go to the Andamans and who are born there? These are questions which are vitally connected with the demand, and we cannot make up our minds one way or the other unless we know all these things.

**Rai Bahadur Babu Vikramajit Singh:** The question about the religion of the Bhandus came under discussion once before in this Council, and it was declared by a number of Hindu Members of the Council that their religion was Hindu. I do not see why the Hon'ble Home Member

should say that he does not yet know what their religion is. The question was raised by several members that if they are going to be sent to the Andamans a Hindu ought to accompany them, and it was at that time mentioned by the members of the Government that no Hindu would be willing to go, and I suggested that if they were to apply to the Sanatan Dharam Sabha they would be able to find a suitable man. The District Superintendent of Police had written to me, and I recommended a man who was a Sanatan Dharmist, who knew Urdu, Hindi and English, and was quite a good man and was willing to go to the Andamans with these people and to give them religious training and to keep them under his supervision. He was a healthy, robust man, and was willing to place his services at the disposal of the Government for any salary that they thought fit to give him. When this man was recommended it was said that another better and more suitable man was found in the shape of a naib-tahsildar, and, therefore, this man recommended by me was not selected. Now for the Hon'ble Home Member to turn round and say that two or three months after the appointment this individual, the naib-tahsildar, declined to go and therefore they could not get a suitable Hindu, is really astonishing, and I submit that on the facts I place before the Council this statement shows the desire of the Government not to send a Hindu along with these people. They ought to have, in that case, written to me and asked me whether the individual who was found suitable could not be found now and was willing to go to the Andamans or not. But without taking any further step and secure a suitable man they come forward and say that no one is willing to go. I submit that such a statement by Government has got no weight, in the face of the facts placed by me before the Council. I say that even if one individual may not have been willing to go I know a number of persons who would have been willing from Cawnpore to place their services at the disposal of Government in order to take charge of these people. But it appears that no effort was made to get another man at all when one man refused on certain grounds to go to the Andamans.

Then another question that has been raised is whether it is at all desirable to send these men to the Andamans. The Hon'ble Home Member says that it was their own desire that they should go to the Andamans. One has yet to live in order to learn such a thing that people here are willing to leave India and to go to the Andamans according to their own choice and want to be transported to a region where they know the climate is bad and the place highly unsatisfactory.

**The Hon'ble Sir Sam O'Donnell:** Quite a lot of them do.

**Rai Bahadur Babu Vikramajit Singh:** The Hon'ble Finance Member says quite a lot of them do, as if people there are very happy and want to live in the Andamans. So far as the Bhandus are concerned, they are not convicts. Many of them are only suspects. Therefore, it is much better for the Government to provide them with some sort of suitable land to enable them to live on agriculture, or to have some industry rather than send them to the Andamans. I do not think it is fair to cut them off by transporting them to the Andamans. They ought to get some occupation in order to make them better men and good citizens.

**Khan Bahadur Maulvi Fasih-ud-din:** I did not wish to interrupt this debate, but as it has taken rather an interesting turn I

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few things about this question. Fortunately for me I have never been in the Andamans, and so I do not know about the conditions of life that prevail there, but I am an Indian and I know the conditions of life of the Bhantus. They are a nomadic people who have no fixed home, and who have been, since time immemorial, leading a life of depravity and demoralization. They have been committing thefts, dacoities, and murders. Since some time past the Government has been making an effort to reform their character, and it is with the deepest possible regret that I say that in my capacity as an official I tried for several years to persuade Indians to join hands with the Government in order to reform their character; but I did not succeed in this matter. The members of the Salvation Army, who as we know are Christians by religion, came forward and offered their services by starting settlements for the Bhantus, and, for the information of many of our friends in this Council, I may tell them that many of them are Christians now—at least those who are members of the Salvation Army settlement. I do not mean to say that they are Christians in spirit, or that they are real Christians, but they profess themselves to be Christians. So it is up to us that we should take charge of these men. I am sure that if even now we make up our minds to take charge of the Bhantus and give a guarantee to the Government that we would be able to reform them in some way or another I am sure the Government will not grudge the assistance that we can offer it. I know fully what sort of life these Bhantus lead. They have been, as I said, from time immemorial, leading a life of the most horrible nature.

**The Hon'ble the President:** The question before the House is, whether they should be transferred to the Andamans or not.

**Khan Bahadur Maulvi Fasih-ud-din:** I am coming to it. Since the Government has put a check to their criminal career they find their position rather intolerable. I know that many of the zamindars refused to let them settle in their villages because they were afraid of the police; they were afraid of the thefts and other crimes that might be committed by these Bhantus. They do not want to take risks, and these men have to wander about from place to place being shadowed by the police. For these reasons I will not certainly be surprised (though I cannot vouch how far this statement is perfectly accurate) if they offer themselves voluntarily to go to the Andamans; not only do they find their existence in this country intolerable as impossible, but also they are not aware of the conditions of life prevailing in the Andamans. Being an ignorant class of people they think that, perhaps, conditions there may be more suitable and better and so they actually volunteer themselves to go. If they are permitted to come back at any time they like I see absolutely no reason why they should not be allowed to have their wishes fulfilled.

**Kunwar Jagdish Prasad:** The only reason why I intervene in this debate is that I was at one time sub-divisional officer at Najibabad, where there is a big Bhantu settlement, and I have, therefore, some acquaintance with this community. A good deal of heat has been aroused through a certain misunderstanding in regard to the question whether the Bhantus are Hindus or not. I think honourable members, and naturally the Hindu members, have resented what was never intended, the implication that the Bhantus are not Hindus. I do not think the Hon'ble the Home Member



ever meant to suggest that the Bhandus were not of a particular religion. The main issues before this House, as far as I see them, are, first, whether the Bhandus should or should not be allowed to go to the Andamans. The second issue is that if they are allowed to go to the Andamans, whether the Government should make certain arrangements for looking after their welfare there.

I shall take the first point, whether the Bhandus should or should not be allowed to go to the Andamans. In this connexion the House on two occasions had already decided that this scheme of sending Bhandus to the Andamans should be initiated and should be tried. There was a supplementary estimate in 1924 which was passed by the Legislative Council. There was a subsequent motion before this House and a supplementary estimate last year in April and the House passed that also. It was understood at the time that some one should be sent by this Government to look after their interest when they reached the Andamans. This undertaking was fulfilled to the extent that a man was engaged, and I think he was engaged at the suggestion of the Raja Sahib of Tirwa, who is not here to-day. He unfortunately fell ill, and for a long time was on leave, and at the last moment he said he was unable to go. I may say that that undertaking still holds good. The Hon'ble Home Member is prepared to send a man if a suitable person can be found to the Andamans to look after the interests of the Bhandus. There can possibly be no desire on the part of any member of the Government on this side that full opportunity should not be given to the Bhandus to improve themselves while they are in the Andamans. I also wish to add that the real question which some honourable members have now put before the House is not that the Bhandus should go to the Andamans, but that even if they want to go they should be prevented from doing so. I understand the position to be that if a Bhandu prisoner says he does not want to go to the Andamans he will not be sent. There is no compulsion. What some honourable members say is that even if a Bhandu wants to go to the Andamans, whether he is a prisoner or not, he should not be allowed to do so; even if a Bhandu thinks that he can improve his position by going to the Andamans he should be prevented from doing so. I think on this point the House has already given its decision on two previous occasions.

**Rai Bahadur Babu Vikramajit Singh:** Question. No one has said that?

**Kunwar Jagdish Prasad:** Then the only issue is that suitable arrangements should be made for the Bhandus to go to the Andamans. I am sure the Hon'ble Home Member will make suitable arrangements for looking after the Bhandus when they reach there.

**Mr. A. P. Dube:** I think every member of this House has heard of voluntary abdications in high places, but it is the first time that we have been put to the knowledge of voluntary transportations and in such large numbers. It is obvious to anybody who has seen this class of people that they belong to the very poorest of the poor. Now in this awakened state of the world one thing that I think counts is money. If you have got no money you commit all sorts of sins. Money means everything. It means heavier children, food, freedom, clothes, and almost anything. Now what have these penal settlement people or Bhandus got? They have got no money; they cannot supply their necessities. There are people who

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feed dogs and horses and by means of the police compel these men to see their own children starved. The result is that they want to help themselves. Now I should have liked to see the Government employ means to better their condition, and then say that these persons were so incorrigible that they should be sent across the ocean into that benighted place, the Andaman Islands.

Some members have said that a religious preceptor might be sent over there, but, Sir, I submit that bread and treacle and dreams of heaven cannot be combined. Empty stomach does not admit of high soaring souls. Therefore my submission is that the Government has not applied the remedy that ought to have been applied, and that remedy is the removal of the poverty of these people. They are adopting all sorts of methods, but not adopting that particular method which would have helped matters. I, therefore, think that this transportation or their voluntary going to the Andamans is a myth which could only come from brains of the official world. Then in the same breath it is said that a number of these persons have come back. Why have they come back I should like to know.

**Mr. R. L. Yorke:** They have not.

**Mr. A. P. Dube:** Therefore I think that this demand should not be granted.

**Pandit Govind Ballabh Pant:** I am sorry that there is nobody in this House to represent the Bhantus directly. The honourable member for Pilibhit can, perhaps, claim a moral right to advocate their cause as their champion on the ground of neighbourhood, and perhaps I, too, have some sort of plausible justification in standing for them as I had some opportunity of hearing of the enterprises and adventures of some of the prominent members of that community.

Sir, the question that strikes me at the very outset is that Andamans is not a part of the United Provinces. As an administrative unit it is not under the Government of these provinces, and, so far as I am aware, there is no sort of connexion between the Hon'ble the Home Member and the Andamans or the governors thereof, so that it is an independent unit by itself, and, ordinarily, this Government would not be justified in interfering with the affairs of the Andamans; or, unless it had a plethora of money, it would perhaps be very reluctant to lavish anything there by way of charity. I do not know what is the exact nature of this project, whether it is remedial, cultural, penal, or whether it is a scheme for colonization. If it is a scheme for colonization, it gives me some little relief to learn that the Government have begun that process, it may be with the Bhantus and at a place like the Andamans. At least we did not hear before this of any assistance being rendered to people to settle in South Africa or in Kenya or any other places. So if it is a scheme of colonization, then I hope it will later on lead to something more propitious; but, Sir, the fact that this allotment appears in the jail budget is rather a bit suspicious. If it was a scheme for colonization, I would have liked to see it somewhere under the weighty patronage of the Hon'ble the Finance Member, who knows more about things outside this country than, if I may be allowed to say so, even the Hon'ble the Home Member does. We are not prepared to accept that the Hon'ble the Home Member is a better authority on matters relating to colonization than the Hon'ble the

Finance Member, and if this provision had not appeared here there would have been, perhaps, little misgiving of that sort which it's being placed here has aroused in certain minds. Sir, if it means that while with the right hand the policy of transportation to the Andamans has been stopped, with the left it is being revived, then, I submit, it is a very dubious method of doing that which had been abandoned and given up. It would have been more straight to say that the policy of transportation to the Andamans still continues and has not been dropped. There is some sort of humour, grief it may be, about the remark that those people are given the option of making their free choice. Does the Hon'ble the Home Member believe that they know what the Andamans is like? What does that choice mean? If I were asked to go to the region of the moon and to make my choice, am I in a position to make it? Do I know what the region of the moon is like? Before a person can make a choice he must be in a position to understand his present position, and what it will be when he goes to the other place to which he is moving out of his own accord. Then I would like to know if there was a spontaneous move from the Bhanus; whether memorials and representations were received from them requesting the Government to embark on a scheme of this sort; and whether they had suggested that the policy which had discontinued transportation to the Andamans had been very oppressive, that they would like to go to their land of love, that they were pining and dying for it, and that the Government should come to their rescue. If there has been something like that, and if the initiative was taken by them, we would certainly be interested in hearing the contents of their memorials, and I hope the Hon'ble the Home Member will be pleased to oblige us by reading them out, even at the cost of the valuable time of the Council. I think in a matter of this sort we should accept frankly that a Bhanu has neither the will nor the capacity to make the choice. We must admit that at the most, and at the worst, he is a victim of circumstances, and if he wants to go to the Andamans, he would as well be willing to go to hell. It is because his position here is made altogether intolerable. You can even drive me to make a choice of the same sort if you can make my position as unpleasant as that of the Bhanus is. I know, and I am prepared to prove, that even most innocent, respectable, and well-to-do people have been involved in serious matters because they have extended their shelter to the Bhanus. I know a case which happened only last year. A friend of mine had settled a village at a corner of my district, and had with the permission of Mr. Young, settled certain Bhanus there. After that that man fell out with the local police and sent a complaint to the learned deputy commissioner of my district, saying that they were thinking of bringing some trouble upon him. A few months after he had sent that letter most of the Bhanus of his village were arrested on a charge of dacoity. He approached the sub-divisional officer, who, after making a short inquiry arrived at the conclusion that they were innocent, but the higher police officers would not listen to him. Then there was a protracted inquiry by the local police, but no action was taken against them. Again, special police was deputed and on inquiry they found that they were absolutely innocent, but they had to rot in the lock-up for about a year. Now, Sir if you do not give an opportunity to these people to improve in this country, when you chase them however legitimate be their avocations in life, what wonder is it if they make even a choice of the sort and agree to go to any unknown land on the surface of the world without

[Pandit Govind Ballabh Pant.]

anything about its condition or circumstances. But the horrible state of things prevailing in the Andamans is clearly shewn when we are told that in spite of the best efforts made by the Government, even in these circumstances when unemployment has rendered the position of many literate and educated men in this country so hard and embarrassing, they have not been able to find a single man willing to go to the Andamans though they are offering him a decent salary. What does it demonstrate? It clearly proves that in spite of the great hardships and difficulties, he is suffering, no educated man has offered his services for the Andamans. So that being proved by the information that has been given to us I think that even if the Council had at any time accorded its consent to any measure of this sort on account of its guidance they must revise their unwise decision in the light of the facts that have come to light, and that is what we are to-day being forced to do.

Besides, Sir, since then there has been a full dress debate in the Assembly about the suitability of the Andamans as a settlement for any portion of the population of this country. I think men who had to deal with the Moplahs in the South had not very kind or generous qualifications to use about them; but it was found that the place would not suit them and the Government of India's scheme was not accepted. So we find that since then more light has come in, and we are now in a position to know that the place would not suit the Bhantus. Sir, there is enough of land in this country with climatic drawbacks in places where people cannot maintain their health. If Government has got money to spend for the support of these Bhantus outside of the country; why not reclaim the lands in such localities and settle the Bhantus there. I know how Bhantus are treated; they are creatures of heredity and, much more, they are creatures of the department presided over by the Inspector-General of Police. Even in the settlement they do not get more than a petty pittance for their sustenance. It has been complained, and I know it on reliable authority that they do not get enough to keep their body and soul together in these settlements. I know that the Bhanu by himself is a very simple, unsophisticated man belonging to an uncivilized group who knows very little of the refined subtle arts of civilized criminals, but who, left to himself and given sufficient opportunity to earn his living, is one of the most docile subjects. It is because he has not got the opportunity, and because he contracts certain vices in his early childhood, not being given opportunities which every citizen is entitled to expect from a Government, that he takes to ways undesirable. In most cases he does not get an opportunity to live an honest life, and therefore he takes per force to these means. So, looking at it from all these aspects, I think, when transportation to the Andamans has been abolished, no measure should be countenanced by the Council which is indirectly designed to yield the same result.

**The Hon'ble the President:** This matter has already been discussed for an hour. It cannot be allowed to take up all the time of the Council.

**Khan Bahadur Hafiz Hidayat Husain:** I have heard the Hon'ble Home Member and the Education Secretary. The argument of the Home Member with regard to the suitability of this location is almost in the same language as was employed when the Moplahs' question was before the Assembly. It was said there also that the Moplahs were at liberty to go

and return when and if they wanted. They did go there, and some of them did come back, not free, but under armed guard, in order to take their women folk, all against their wishes. The point is, why is this policy of penal settlement of the Andamans being reverted to? The Education Secretary said that the Council has sanctioned the policy of the Government in supplementary estimates. I differ. In supplementary estimates questions of policy are not discussed. It is only matters of detail that are gone into, and therefore we never discussed the question of policy, nor did we determine that the Andamans were to be maintained as a penal settlement. I, therefore, press my motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Different points have been raised in connexion with this Bhanu exodus. The point raised by the honourable member for Naini Tal was the point of principle, whether the Bhanus should or should not be sent. I shall deal with that after I have dealt with the others. The first point raised by my friend from Ballia was whether an Indian of the same religion has or has not been sent. I replied to that, and I wish to make it quite clear again, that on the recommendation of the Raja Sahib of Tirwa a man was engaged for this purpose. He first took leave, and ultimately decided not to go. As far as that question is concerned I can very well understand the grievance of my friends here. But Government is willing to undertake, if you give us a man, that he shall be sent there. Now the question is whether the position of Bhanus there is good or not. On this question we are willing to have members of this House go and see for themselves. And what are the reports. The Commissioner of the Andamans says—and this shows clearly the position. This is the letter:—"It is interesting to note that only. . . ."

**Mr. C. Y. Chintamani:** Point of order. Is the Hon'ble the Home Member prepared to lay a copy of the letter on the table?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Yes, I am prepared. He says. "It is interesting to note that only one or two families have any wish to leave the Andamans, while I have a list of 62 persons whom they desire very keenly to have brought to join them there." Then, making some remarks on the work of the man in charge, he further says "Those now here continue in an exemplary fashion. They have ten expensive bullocks, 100 goats and quantities of chickens, ducks—there is a school in the village with, I suppose, some 45 or 50 people and two masters. Also a dispensary. The fever season is over now and they need not fear another." That is what the report says. This shows very clearly that they themselves are desirous to get some of their relatives from here. Coming to the question whether as a principle Bhanus should not be sent to the Andamans I would like to say that it was in 1924 that the scheme was first laid before the House. After that we had another budget, and if the honourable members of the House were not willing to accept the scheme, there was time for them to have recorded their disagreement. They did not resent the scheme. On the other hand, they agreed that the Bhanus may be sent to the Andamans. I cannot find the reason for this change, except that in those days, in 1924, the atrocities committed by the Bhanus were so fresh in the minds of my friends that they thought it fit that the Bhanus should be transferred, and now, as the picture is not so fresh, they are trying to change their minds. As I said in my first speech, I f

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan,]

again, that they are free to come back, and if any of them desires to come back we will be only too pleased to let him. They have been sent there on their own free will, and there is no compulsion about it. As to the question of sending a Hindu, I have said if someone will be forthcoming we will only too willingly send him there.

*The motion was put and the Council divided as below :—*  
*Ayes, 39; Noes, 43.*

*Ayes.*

Mr. A. P. Dube.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.  
 Babu Bhagwati Sahai Bedar.  
 Chaudhri Mangat Singh.  
 Chaudhri Vijai Pal Singh.  
 Chaudhri Dharamvir Singh.  
 Thakur Hukum Singh.  
 Rao Krishna Pal Singh.  
 Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Rao Sahib Kunwar Sardar Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.

Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Sirdar Nihal Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Mr. C. Y. Chintamani.  
 Mr. Zakur Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Hafiz Muhammad Ibrahim.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Khan Bahadur Saiyid Jafer Hosain.  
 Khwaja Khalil Ahmad Shah.  
 Rai Bahadur Munshi Ambe Prasad.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Rai Bahadur Babu Vikramajit Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Lillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. B. D'O. Darley.  
 Mirza Muhammad Sajjad Ali Khan.

Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. H. C. Desanges.  
 Mr. E. Ahmad Shah.  
 Rai Bahadur Lala Shyam Sundar Lal.  
 Thakur Bikram Singh.  
 Raja Kushal Pal Singh.  
 Babu Kishori Prasad.  
 Rai Bahadur Babu Abhainandan Prasad.  
 Kunwar Surendra Pratap Sahi.  
 Haji Abdul Qayum.  
 Lieut. Nawab Jamshed Ali Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan.  
 Shaikh Abdullah.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Hakim Mahub Ali Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Shaikh Muhammad Habib-ullah.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Mr. E. M. Souter.  
 Mr. J. P. Srivastava.

After the voting papers had been collected, and the votes counted, Maulvi Muhammad Obaid-ur-Rahman Khan said :—Sir, by mistake I signed "Aye" and handed it over to the man who was collecting the papers; I then signed "No" and asked the man to return the "Aye" but he refused to return it.

**The Hon'ble the President:** Which side the honourable member desired to vote?

**M. Muhammad Obaid-ur-Rahman Khan.** I want to vote "No."

**The Hon'ble the President:** The vote "Aye" will not be counted.

**Khan Bahadur Saiyid Jafer Hosain:** I beg to move a substantive reduction by Rs. 20,000 in the item "Purchase of raw materials, supplies and services" under sub-head "Jail manufactures."

Honourable members will find this item at page 85 of the Detailed estimates, under sub-head "Supplies and Services." They will notice that the figure given in the budget estimate for 1925-26 under this head was Rs. 1,73,000, the amount actually spent in that year was Rs. 1,50,000. But for the next year the budget estimate is Rs. 1,83,000. Therefore, there is an excess of Rs. 33,000 over the revised estimate of this year. Since the prices have gone down my submission is that there is considerable room for reduction. I hope Government will accept this motion.

**Mr. H. A. Lane:** This is the same point as the Financial Secretary has explained. If honourable members will refer to page 203 they will find that the proceeds from jail manufactures are estimated to be Rs. 37,000 more than the revised estimate of this year and Rs. 65,000 more than the budget estimate of this year. It is in order to make it possible to produce greater revenue than it is necessary to incur more expenditure on the purchase of raw material.

**Khan Bahadur Saiyid Jafer Hosain:** I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Mukandi Lal:** I beg to move a substantive reduction by Rs. 46,947 of item concerning "Jail manufactures."

This item concerns the Jail manufactures. Judging from the speeches made in the morning I thought that I should start with a business proposition. Fortunately, or unfortunately, the soft corners of the hearts of the honourable members have been moved by the hardhearted Bhantus, and they lapsed into making long speeches. I want to set them a good example by putting this business-like proposition before them, namely, the reduction of the excess amount that the department has demanded over last year's revised estimates. I would like to put one or two questions to the Government, and if I am satisfied as to why they want to spend more money on jail manufactures I should be quite prepared to withdraw my motion. The first question I would like to put to Government is: Do you mean to be self-supporting as a jail department? When you indulge in manufacturing articles in the jails is it the policy of the Government to be self-supporting?

**The Hon'ble the President:** The policy of the Government can be discussed only on a token cut.

**Mr. Mukandi Lal:** My proposition is a business proposition. That is to say, if I am convinced that the Government want the House to grant them Rs. 46,000 and odd as a business proposition, and, if I am convinced about the policy of the Government on this, then I am prepared to withdraw the motion. Otherwise not. So I must know what their policy is, whether they want to be self-supporting whether they want to compete with private manufacturers and mills, how far they have succeeded in being business-like and what profits they have made. If you think that by asking these questions I am discussing the policy of the Government. . . .

**The Hon'ble the President :** It is discussing the policy of the Government. That must be discussed by means of a token cut rather than on motion for a substantial cut.

**Mr. Mukandi Lal :** At this stage I will confine my remarks by saying that if the Government is prepared to justify the excess demand they have made as an economic proposition by asking the Council to grant this amount for the purchase of raw material to be used in jail manufacture, or for necessary machinery and implements then alone the Government is entitled to come before the House with a large demand. If they cannot justify this demand then I submit I would have to press this cut to its logical conclusion.

**Mr. E. A. H. Blunt :** It has just been explained by the Revenue Secretary in his speech that we have asked for more money to buy raw material because we hope to make bigger profits. We hope for an increase of revenue as a result of this extra expenditure. The Hon'ble Mover wanted to know whether we are making this a business proposition. Well, roughly speaking, on  $4\frac{1}{2}$  lakhs expenditure we hope to make  $6\frac{1}{2}$  lakhs—a very fair profit.

**Mr. Mukandi Lal :** As I cannot discuss the policy of the Government under this motion, I beg to withdraw it.

*The motion was, by leave of the Council, withdrawn.*

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I beg to move a (substantial) reduction by Rs. 4,500 of item concerning "Works" under sub-head "B—Central Jails." If honourable members will turn to page 85 of the Detailed estimates they will find, at the end under sub-head "Maintenance and Repairs" that the sum granted last year was Rs. 26,022. It was the first year when under this sub-head a separate sum was allotted. Now a sum of Rs. 30,822 is allotted. Thus there is an increase of Rs. 4,800 more than the amount granted last year. If for the maintenance and repairs of central jails a sum of Rs. 26,022 was quite sufficient last year I do not know why there should be an increase this year. If this reduction is accepted by the Council there will still remain in the hands of the Government a sum of Rs. 30,822 for that expenditure. I hope Government will accept this reduction.

**Mr. E. A. H. Blunt :** I am afraid this increase was by an oversight not explained in the Memorandum. The rates and taxes have been taken away from contingencies and lumped together in this one place. There is no extra expenditure whatever.

*The motion was put and negatived.*

**The Hon'ble the President :** I hope the honourable members will bear in mind what I said the other day as regards token cuts. While discussing a token reduction under a particular sub-head the honourable members should confine their remarks to questions relating to that sub-head only; but if they desire to discuss the policy of the department, they should do so under motions concerning the whole head.

**Rai Bahadur Babu Vikramajit Singh :** I beg to move a token reduction of Re. 1 under sub-head "B—Central Jails" (page 81 of the Detailed estimates).



It is only with a view to elicit some information from the Government that I have moved this motion. I wish to inquire how many superintendents there are in central jails, what are their qualifications, and how many of them are Indians and how many non-Indians. If the number of Indians is small, I wish to know the reasons. Further, I wish to find out whether jailors in the central jails are Indians or non-Indians, and if there are some Indian jailors, may I know what their number is ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan :** The superintendents of central jails are I. M. S. officers. Only lately Mr. Ganda Singh was officiating in that post. The permanent Indian superintendent is Captain Salamat-ullah. The reason why there are so few Indians in the post of superintendent is that only such men are eligible for the post as are I. M. S. officers, and there are not very many Indians in the I. M. S. cadre.

As regards jailors, there is only one Indian in charge of a central jail.

**Pandit Govind Ballabh Pant :** I have to put two questions to Government relating to central jails. The first relates to the release of prisoners on account of remission of their sentences. If the honourable members will kindly look at the report, they will find that the proportion of those who are released on account of or by virtue of remissions of their sentences for good behaviour and other things is very small in central jails as compared with what it is in district jails, and again there is not much uniformity between the different jails. I would refer Mr. Yorke to page 10A on the report, and he will see there the substance of what I am submitting.

The other point to which I wish to refer is why persons sentenced to very small terms of imprisonment are still sent to central jails. These jails, so far as I know, have been reserved for long-term convicts, and short-term prisoners should not be brought in contact with them.

These are the only two points on which I want information.

**Mr. H. A. Lane :** The honourable member for Naini Tal has asked, firstly, why releases on account of remissions are fewer, I understand, in central jails than in district jails. The reason is that the prisoners in central jails are nearly all long-term prisoners, and therefore at any given time there are fewer of them who are entitled to profit by the remission rules. There is also another consideration. About two years ago the system of revising sentences was introduced. The principle now is that in the case of a short-term prisoner his case comes up before the revising board when he has finished half of his term of imprisonment. In the case of long-term prisoners it does not come up quite so soon. Naturally the short-term prisoner is likely to be recommended by the revising boards for early release in more cases than the long-term prisoner, who is a confirmed criminal. Therefore, the prisoners who are in the district jails are, under the recommendations of the revising board, more likely to secure early release than the prisoners in central jails. There is another point which will lead to a certain amount of difference. In the case of long-term prisoners, when their term of imprisonment is about to expire, they are often transferred to the jail of their district of residence or to a district jail near their home, and therefore in many cases a long-term prisoner is shown as released from a district jail who, as a matter of fact, served in a central jail.

[Mr. H. A. Lane.]

The other point with regard to which the honourable member asked for an explanation is why it sometimes happens that prisoners undergoing short-term imprisonment are confined in central jails. I believe that this does not often happen. But in some cases it is necessary to employ these short-term prisoners for work outside the jail in which it is not considered desirable to employ the more dangerous type of criminal confined in central jails. Therefore it is necessary sometimes to transfer a short-term prisoner to a central jail for employment in this way.

**Rai Bahadur Babu Vikramajit Singh :** One point is not clear from the reply of the Hon'ble the Home Member. Does he mean that the I. M. S. is a minimum qualification for one being a superintendent of a central jail, or whether a person who is not an I. M. S. can also be appointed as superintendent of a central jail. In case his answer is that only an I. M. S. can be appointed, then whether the letter 'I' in I. M. S. stands for 'Indian' or for 'imported.'

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** believe that five of them are reserved for the I. M. S. and one is open to the I. M. D.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a (token) reduction of Rs. 100 under sub-head "(4) Supplies and Services" (page 82 of the Detailed estimates).

It is a token reduction, and my object is to draw the attention of the Hon'ble Home Member and other jail authorities to the scanty clothing that is given to the prisoners in the jails. On his admission a prisoner is allowed one kurta, one janghia, one taulia, one langota, one tikoni, and these are to last for nine months. He is also given an izarband which is to last for 18 months. This clothing is much too scanty, and it is very difficult to carry on with these clothes for such a long period. A double set should, therefore, be provided, and the period of their retention should be curtailed.

The second point is that, although last year we were told the juar will be discontinued or alternated, I find on inquiry that juar is still being used in exactly the same quantity.

It is only to draw the attention of the Hon'ble Home Member to these things that I have moved this token reduction.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Two points have been brought to our notice. One is the juar diet and the other is the y clothing. There was a proposal to give them two sets of clothes in the jail, but on calculations it was found very costly. That is the reason we could not give them any more than we did. But I remember that as far as such prisoners are concerned who want to do some religious worship, either Hindus or Muhammadans, they are given a sort of *tahmat* to do their worship.

As to the second point, about juar that has been raised, we do not agree—and our figures for health show—that the juar diet has done any harm to the health of the prisoners. Still, as it has been constantly urged by this House, that juar should not be given as a diet to our prisoners, we are willing to accept that in future we will not buy juar, and we will ask the

Inspector-General of Jails to give bajra and maize instead of juar for the diet of the prisoners. I think this should satisfy the honourable mover.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

*The Council here adjourned for lunch.*

*After the recess—*

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a token reduction of Rs. 100 under the entire head " District jails (voted) ".

My only point is to find out what has happened to the idea which was lately afoot that members of the Executive service should be put in executive charge of jails instead of civil surgeons. I want to find out if this has matured or if it has been given up entirely. If so, what is the reason for giving it up?

**Chaudhri Vijai Pal Singh :** Whenever I think of anything being desirable or undesirable, I am reminded of the classic phrase of Shakespeare that there is nothing like unmixed evil or unmixed good in the world. I wish Shakespeare had been here in India in these days and would have become wiser by seeing with his own eyes that there is, at least to my mind, one department in India, called the Jail department, which may be fitly described as an unmixed evil. While I regard this Jail department as an unmixed evil, I am reminded of a story once told by my friend Mr. Bhagwati Sahai Bedar at the Ganges fair at Garhmuktesar that there was a civil surgeon who was treating a patient in a district jail; whenever the civil surgeon came to him and put questions asking him whether he was feeling all right, he said :— " Sir, I am suffering from this pain." And whenever the civil surgeon came he repeated the same story. Then the civil surgeon, who was a Bengalee gentleman, said :— " Tum sala, mar jaega ". When there were so many complaints with him, the doctor despaired of curing him. I cannot condemn this Jail department in a better way than by describing the statement of the Hon'ble the Home Member that the jail population is gradually increasing. This very statement that the jail population is increasing daily is self-condemnation of this very department. I know, as Rai Bahadur Thakur Hanuman Singh said, that the British Government claim they can reform, civilize and improve any class of humanity. That I admit, but only when there is a will. If the Government want they can do so. But there is another Rai Bahadur, Babu Vikramajit Singh, who told us that he suggested one robust and learned person so that he might reform the habits of habitual offenders, but his services were not accepted by the Government. These statements of these two Rai Bahadurs very strongly support my view that though the Government can reform these offenders, the Government does not want to do so, because it is my firm conviction that the strength of the Government lies in undermining our morals and in making as many Indians as possible habitual offenders. In support of my statement I may cite one case. While I was in Bulandshahr jail there was one habitual offender named Matru. I put the question to him :— " Can you not give up your criminal habits and take to agriculture or some other healthy occupation." He told me that he could not. I then asked him his reasons and he said :— " As soon as a member of my community is registered, a policeman is appointed to watch his activities " He told me that it so happened one day that three o

[Chaudhri Vijai Pal Singh.]

settled seven rupees for one night so that they might go and commit theft. They could not return till eight in the morning. Then the police constable after waiting till eight went over to the police station and reported the case to the head constable. The head constable waited for two hours. Meanwhile those three criminals went to the thana and reported that they had come. That head constable demanded Rs. 7 more from them. Thus the three criminals were compelled to give Rs. 14—seven to the head constable and seven, as was already settled, to the constable. He told me that they were pressed by the police constable to give bribe and therefore they had to commit theft. He further said :—“If we do not commit theft, how can we give him bribe? Even if we remain at our homes and do not give any bribe to the police constable, he would report that such and such a man was absent from his home. The very moment he reports against us prosecution is launched against us, and what is the result? When we do not commit theft we have no money with us, and when we go to jail we cannot live there a comfortable life. When we commit thefts, a policeman is there. We are sent to jail only when we are caught red-handed. Unless we are caught red-handed, no one can suspect that we are committing thefts. Suppose we are caught red-handed and we have money with us, we go to the jail, distribute that money to the jail warders, to the police constables and to all those who are the custodians of our rights and liberties there and we live there a very comfortable life.” I asked him whether there was anything which he could not get in the jail for money. He told me that they could get everything. There is a proverb in the villages “Ajkal rupiye ki dusri khudai hai”, but by remaining six months in jail I came to know that money is not next to God, rather money has dethroned God as far as jails are concerned. If you have money, you can have everything you like there. Once I was thinking that the jail warders and jail officials could not supply prostitutes to the offenders. There was one warder who told me that once it so happened in the Central Jail, Agra, on the occasion of *dhulendi* that a dancing party was held there. The jail warders gave a bottle of wine to the jailer and arranged to bring a prostitute for the dancing party. From 10 p.m. till 4 a.m. there was the dancing party and the prisoners there contributed about Rs. 350 towards the cost of the function. Had it been within my power I would not have satisfied myself with moving a token cut, rather I would have moved a substantive cut, reducing not two thousand, not four thousand, not ten thousand like our moderate leader Mr. Govind Ballabh Pant, but the entire sum which is demanded for this department, because it is my firm conviction that we shall not be worse off if all these jails are demolished altogether.

Yesterday one honourable member put certain questions to me. He asked me whether I had anything to suggest for making improvements in jails. I told him quite frankly that I was at a loss to suggest anything because I know—I may be wrong, but that is my conviction—that the whole machinery of the Government is rotten to the core, and the Jail department being a part and parcel of that machinery could not be improved in any way unless the whole structure of the Government is demolished and remodelled on healthy lines. If, however, the Hon'ble

the Home Member is sincere to effect some improvement in the Jail department I will suggest two things :—

(1) that habitual offenders should be kept separate from first offenders; and

(2) that under-trial prisoners should be allowed perfect freedom in obtaining their necessities from outside.

Why I think it necessary that habitual offenders should be kept separate from first offenders is this that one day two criminals were brought to jail. One of them was a first offender and the other was one who had been in jail for sixteen years. What was the condition of both these persons? The first offender was shivering with fear, trembling, shedding tears, while the habitual criminal was sitting there, snug and comfortable not fearing at all the jail life. At least that is my personal experience that jail life has some fear for first offenders only so long as they do not enter the four walls of a prison. The very moment they know a jail, this whimsical or visionary fear altogether vanishes. It is not only with the criminal offenders, rather it is the same with political offenders. If Government is sincere that the jails should have the desired effect, I would like to suggest in the end that all those at least who are taking some part in politics should be sent for six months to a jail, because then this false fear of prison life would disappear altogether and they would become wiser counsellors, wiser for administering departments, because I know if the Hon'ble the Home Member had the privilege of being an inmate of some jail for three or six months and had studied things there on the spot with his own eyes, he would have become far wiser and he would not have undertaken the duties of Home Member in case the portfolio of the Jail department was entrusted to him because it is altogether a waste of time.

With these remarks I support the motion of the honourable mover.

**The Hon'ble the President :** There is a motion under "district jails" in the name of Khan Bahadur Maulvi Fasih-ud-din. Will he move it or will he like to speak to the motion before us?

**Khan Bahadur Maulvi Fasih-ud-din :** No, Sir. I will speak on the general motion.

**Chaudhri Badan Singh :** I support the motion which is under discussion before the House. I have also been to jail two times, so I have got ample experience of jail life. I am telling you the truth without any exaggeration when I say that the Jail department is the worst.

**The Hon'ble the President :** We are discussing "district jails" and not the Jail department.

**Chaudhri Badan Singh :** I have been in two district jails, Sir, one Budaun and the other Bareilly.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** On what date did the honourable member visited the Budaun jail?

**The Hon'ble the President :** He will require notice for that.

**Chaudhri Badan Singh :** I do not remember the date. With these few words I support the motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** To the first point that was raised by the honourable mover I would simply

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

that I am not aware whether there was any proposal that in future, instead of Indian Medical Service Officers, Indian Civil Service Officers should be superintendents of jails. I have not seen that proposal, and I do not know how the honourable member got this idea that there was some such proposal with the Government.

Now coming to the points raised by another member, I should like to say that I agree with him that there is nothing in the world which can be called unmixed evil or unmixed good. But I differ from him when he says that the Jail department is an unmixed evil. I do not know whether it is mixed or unmixed evil, but I know for certain that it is a necessary evil and you cannot get on without a Jail department. I would leave it to the representatives of the peaceful citizens of the province to think that whether it will be a good thing if all the jails are demolished as was proposed by my friend here and all these dacoits and robbers are let free to deal with the peace loving citizens of the province. There were two suggestions that were made by my honourable friend. First of all it was that habitual offenders should be kept apart from the first offenders. I believe we are already doing it, because we have got separate wards for them, and as soon as our Meerut Central Jail is constructed the scheme is to keep all the long-term habitual offenders separate in one jail and to keep the others apart from them. The other suggestion was that under-trial prisoners should be allowed to get all their necessary things from outside. This privilege they already enjoy. Coming to the last speaker, it is, Sir, astonishing that my friend here complained of the administration of the Budaun jail. When I asked him the date, my reason was that here is his inspection note on the Budaun jail which is dated March 3, 1927. Perhaps this is the last visit he has paid and here he says:—"Today I inspected the jail. There are about 411 prisoners and under-trials. I went round the jail and found not a single jail inmate complaining. Dall was good and loaves were well baked. The cleanliness was also admiring." The discipline, to the best of my knowledge, has been exemplary. I have nothing to write against the jail authorities, and their work has been most satisfactory."

**Chaudhri Badan Singh:** On a personal explanation, Sir. Perhaps the Hon'ble the Home Member has not gone through the inspection note I wrote last year.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Last year the condition might have been very bad, but it has improved so much. I think it is a credit to the Jail department and those responsible for the Jail department that within a single year the condition improved so much that while the honourable member wrote a scathing note last year, he wrote such a nice note this year. After this I hope the honourable members will withdraw not only this motion but all motions, because this report is from one who has been in jail and is wiser. That is also the reason why the Home Member need not go there, because he can take advice from so many friends who have been there and are wiser.

*The motion was, by leave of the Council, withdrawn.*

**Rai Bahadur Babu Mohan Lal:** I beg to move a token reduction of Rs. 10 under sub-head "E.—Lock-ups."

My object in making this motion is to bring to the notice of the Hon'ble the Home Member two facts which have been brought to my notice. One is that the persons who are sent to lock-ups when they are sent up for trial are not allowed to take their blankets which are given to them for covering their persons in winter season. They are allowed to take with them only those clothes in which they were at the time of arrest. If my information is not correct I am open to correction, but if this is so I hope the Home Member will look to it and will make a rule that persons when they are arrested and if they have not sufficient clothing, may be allowed to use the clothing which is given to them in the lock-up when they are sent up for trial.

The next point that I want to bring to the notice of the Home Member is that females when they are sent up for trial to camp before magistrates are put to a lot of inconvenience and lot of insults as has been brought to notice. And if this is so, I think the jail authorities should be told to see that their cases be not tried in camp but at headquarters. If it is possible for the Home Member to do so I hope he will look into this matter also. These are the two points which I want to bring to the notice of the Home Member in connexion with this token motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Both points raised by my honourable friend will receive our consideration. The point that he has raised about females being tried in camp I think we will have to consider in the department of administration of justice. The Jail department cannot prevent prisoners being tried in camp. The jail has to send prisoners wherever courts want them, and it is for the courts to make arrangements. But as I said, both points will be considered.

*The motion was, by leave of the Council, withdrawn.*

**Rai Bahadur Thakur Hanuman Singh:** I beg to move a token reduction of Rs. 1,001 under sub-head "H—Reformation of criminal tribes" (page 84 of the detailed estimates).

**The Hon'ble the President:** Why not make the figure ten rupees?

**Rai Bahadur Thakur Hanuman Singh:** All right, Sir. I reduce the figure to Rs. 10. Under this head Rs. 1,44,442 has been provided for expenditure during the next year, of which Rs. 69,112 is to be spent through the Salvation Army officers. Sir, before this too I had on the floor of this House opportunities to object to the employment of Salvation Army officers to be in charge of the criminal tribes. Their first effort is to convert them to Christianity and thereafter to reform them in such ways as they think possible. This is a very objectionable feature of the scheme which Government has adopted. The tribes are—I mean the criminal tribes—mostly Hindus. Therefore their reformation should be carried on through Hindu agencies and not Christian agencies or through any other agencies. The Hindu community as a whole some time back was negligent in this respect, but now it has come to know the importance of looking after these criminal tribes and the question of untouchability. They have learned by experience that they have been great losers in the long run, and if they will stick to the conservative views they will continue to lose. Men amongst the Hindus of experience and position will be found, if they be approached and consulted, to take charge of the reformation of the criminal tribes. I venture to say that the Government is wrong in spending

[Rai Bahadur Thakur Hanuman Singh.]

such a large amount through the agency of the Salvation Army or its own employees, because its action has come to be suspected. If a committee, or I may call it a board, for the United Provinces be brought into existence and the money which is now spent through several agencies be placed in the hands of that board, the Hon'ble the Home Member or some other responsible officer may be made its president if the Government so chooses and all the criminals be brought to a limited number of places and Hindus be appointed to teach them better ways of living and to lecture them on morals and to bring them round from the wrong to the right path, I think Government will reap much more benefit than it is reaping at present. At least to my mind this is a very sound suggestion which I throw out for the consideration of the Government, and I hope it will give its serious attention to it and come to some conclusion so that the complaint which is at present existing that the criminal tribes are being regularly converted into Christianity with the connivance and aid of the Government may be removed.

Sir, I would like to say that all those who belong to the criminal tribes are very much harassed by the police even when they lead an honest life. A story of this kind has in detail been related by my honourable friend from Naini Tal. Such harassment could be prevented by the Inspector-General of Police if he takes into his head the necessary duty to instruct his officers that such hardship on honest people should not be brought about. There is a caste known as Pasi mostly residing in these provinces. This Pasi caste is always harassed by the sub-inspectors. Whenever a sub-inspector happens to pass through a village he inquires about all the Pasis there and does not fail to utter nasty words about them. Most of them are honest. There are thieves also among them no doubt, but their number is not very large. Most of them are honest, and we who are zamindars rely on them and entrust them with lakhs of rupees and property and they never betray their trust. They make the best chaukidars also, of whom the Inspector-General is so very proud that he wants a very large increase in their number. This harassment sometimes forces the men, honest men I may say, to take to wrong ways of living. If you treat a criminal with kindness you may be able to reform him. But if you are hard on him, he may grow worse instead of reforming himself. There are one or two servants in my brother's service. After having been in jail they were released. When they were living in their homes after their release they were leading an honest life, but they were so much harassed by the police that they came to my brother and told him that they would not demand any salary, that they would not demand even food if they were permitted to live in his *kot*. My brother took them in his service and they are now free from police surveillance. They are now the trusted servants of the Siddauli estate. If a number of Updeshaks and lecturers on morals be employed and colonies of these criminal tribes be started, I think their lectures will do them more good than police surveillance, because these criminals who commit crimes derive great benefit from these lectures and religious instruction (Laughter). Well Sir, honourable members may laugh, but religious teaching has a great effect on every human mind. I am told—I have not seen it myself—that when a Christian is sentenced to death a padri is called to preach sermons to him. When the Christians believe that a padri's sermon will do good to the soul of the criminal in his



next life, I think a Pandit's sermon will do good to a man in this life. With these few remarks I would suggest to the Government that it should adopt some better means of reforming the criminal tribes than that which has been adopted hitherto and which has failed, and I assure the House that it will continue to be a failure unless some better and new methods are adopted.

**The Hon'ble the President :** There is a similar motion in the name of Lala Nemi Saran. Will the honourable member speak to this ?

**Lala Nemi Saran :** I do not intend to inflict a long speech on the House at this late hour when I believe we are all anxious to finish with the Jail budget and come to other items. But, Sir, I only want to bring two or three things to the notice of the Government mostly with a view to better the fate of the criminal tribes and improve the chances of their reformation. The honourable mover of this motion has said the Government is spending a large amount of money through the Salvation Army on the reformation of these tribes. We are as yet in the dark as to the results of the activities of the Salvation Army. As far as we could peep into the secrets of the Salvation Army working in the settlements from the reports which we could get from outside we know that the people who live there have to live a very hard life. They are treated there with cruelty. I know of cases where people living in the settlements have complained that they do not get sufficient wages for their labour so as to keep their body and soul together. To redress a grievance of this kind I wish to make a few suggestions, and I hope the Government will favourably consider them. To my mind, in all the settlements, whether controlled by the Government or by the Salvation Army, there should be introduced an outside element to keep itself in touch with their activities. Just as in jails we have got advisory committees, so also we should have non-official advisory committees for these settlements. In my own district there is a settlement, but nobody can be allowed to study for himself the conditions there. Consequently, my suggestion is that if the present system of settlements is going to be continued, they might be associated with advisory committees, so that the grievances of the people living there could be brought to light. My next point is, that those who are locked up in settlements are mostly Hindus, and it is but natural that they be given some sort of instruction pertaining to their religion. I have been approached by some Bhandus of the Najibabad settlement. They have told me that although they themselves cannot be reformed, at least their children be brought up in such an atmosphere as might help them to become good citizens. They also told me that they wish their children to be entrusted to such persons as would care to bring them up, give them education and thus make them fit for after-life. There are persons in Najibabad itself and in the district who are quite ready to act as guardians for these children, but the trouble is that they cannot be made over to them without the permission of the Government. In the interests of the children, therefore, I would request the Government to take steps to make over the children of the criminal tribes to such persons as wish to bring them up.

**Babu Bhagwati Sahai Bedar :** Just now, Sir, it has been said that sermonizing will affect the criminals, and this is why I am going to sermonize the Government.

[Babu Bhagwati Sahai Bedar.]

The Government has no business to snatch a portion of men from any community. Last time when I put a question to the Maharaja Sahib of Mahmudabad, the then Home Member, that a portion of these criminal tribes be handed over to the Arya Samaj for reformation on such conditions as they are handed over to the Salvation Army, his reply was that there are so many other criminal castes and tribes and attention should be diverted to reform them. Now since they are being sent to Andamans, I do not see any reason why the Government should not hand over these criminal tribes to the Arya Samaj. If this is not going to be done, I ask what right has any Government or Salvation Army to snatch away men from any community?

It is a question in which we Hindus are concerned and I have to see which of the Hindu honourable members will come forward and vote against this motion. I ask my friend Thakur Hukum Singh whether he is against this motion? Similarly I would ask Thakur Bikram Singh and Kunwar Surendra Pratap Sahi? I would ask all these honourable members to vote for the motion. If we do not do so, the Government will say that the Hindus do not want to take over these criminal tribes. We should press the Government to hand over these men to the Arya Samaj, Dharam Samaj or even to the Sikh community on such conditions as they are handed over to the Salvation Army.

That reply of the Maharaja Sahib had a mischievous move behind it and it has been given out today. I find that instead of their being handed over to the Arya Samaj, they are being deported to the Andamans. The Arya Samaj and other similar societies will reform them more than any other institution. I hope that today House will unanimously pass a direct vote of censure on the Government on this point. Your wishes also, Sir, will be met today as you were the first person to introduce this question in the honourable House some time ago.

**Pandit Rahas Bihari Tiwari:**

जरायम पेशा के लोगों के Settlement का प्रबंध अभी तक Salvation Army के हाथ में है। वह लोग इस बात का उद्योग करते रहे हैं कि वे लोग सुघर जाय। इस विषय पर आर्य प्रतिनिधि सभा U. P. ने Government से कई बार प्रार्थना की कि जो सहायता Government Salvation Army को देती है यदि वही सहायता Government आर्य समाज को दे तो वह (आर्य समाज) भली प्रकार से उनको चलाने के लिए तय्यार हैं। लेकिन अत्यंत शोक की बात है कि Government ने इस पर अभी तक कुछ भी ध्यान नहीं दिया। अभी चार हफ्ते की बात है कि लखनऊ जिले में २०० पासियों ने सालेनगर में एक सभा की और उस सभा में तीन चार प्रस्ताव पास किए गए। आप जानते हैं कि जो लोग जरायम पेशा हैं जैसे पासी जब उन को किसी चोरी आदि के अपराध के कारण सजा मिलती है और जब वह जेल से बाहर आते हैं तो उन्हें पंचायत द्वारा किसी प्रकार का दंड नहीं दिया जाता है। उन लोगों ने निश्चय किया कि बुरा काम करने वाले को जेल से लौटने पर दंड बिरादरी की पंचायत द्वारा दिया जाना चाहिए अर्थात् जब ऐसे लोग

जेल से लौटें तो उनको पंचायत कोई दंड अवश्य दे। दूसरा प्रस्ताव इस प्रकार का पास हुआ कि जितने पासी हैं वे सब शराब और मांस का खाना छोड़ दें। तीसरा प्रस्ताव यह पास किया गया कि हिन्दी उनको सीखना आवश्यक है। तीनों प्रस्तावों के पास होने पर बनधरा के थानेदार साहब को इस को खबर मिली। उन्होंने तुरंत उस गांव में जाकर कहा कि तुम लोग आर्य समाजियों की सहायता लेते हो यदि तुम लोगों ने दूसरी सभा की जो तारीख २७ फरवरी १९२७ को भद्रुखा में होने वाली थी तो सब के सब पकड़ लिये जाओगे। मुझे जब यह समाचार मिला तो मैं तारीख २७ फरवरी को लखनऊ से भद्रुखा गया तो वहां मैंने एक आदमी को भी नहीं देखा थानेदार साहब अवश्य बैठे हुये थे। मैंने उनसे जाकर पूछा कि क्या इस प्रकार की कोई आज्ञा Government ने दी है कि जो पासी लोग अपना सुधार आर्य समाज द्वारा कराना चाहते हैं उसमें आप बाधक हैं? क्या Superintendent of Police या Deputy Superintendent of Police को और से कोई ऐसी आज्ञा आप को मिली है जिसकी रू से आप इस प्रकार की धमकियां देते हैं? उन्होंने कहा कि क्या आप लोग समझते हैं कि काला तवा मांजने से साफ हो सकता है मैंने कहा कि जो हां साफ हो सकता है यदि परिश्रम किया जाय। मैंने कहा कि जब Government लाखों रुपया प्रति वर्ष Salvation Army को जरायम पेशा के लोगों के सुधार के लिये देती है तो कोई कारण प्रतीत नहीं होता कि वह हम लोगों द्वारा इन पासियों के सुधार के लिये बाधक हो। एक और तो Government लाखों रुपया Salvation Army को इनके सुधार के लिये देती है और दूसरी और हमारे कुछ राज कर्मचारी हमारे काम में इस प्रकार से बाधक होते हैं। मैं जानता हूं कि इस आज्ञा को Superintendent of Police ने नहीं दी थी बल्कि थानेदार साहब स्वयं वहां गये थे इस ख्याल से कि Criminal tribes के लोग यदि आर्य समाजियों के साथ मिल जायेंगे तो उनकी शक्ति बड़ी भारी हो जायगी हम Government से प्रार्थना करते हैं कि वह आर्य समाज, सनातन धर्म सभा, और हिन्दू सभा से कहे कि इन जरायम पेशा के लोगों को तुम ले लो। अब तक Government ने हमारी प्रार्थनाओं पर कुछ भी ध्यान नहीं दिया है। हम Government से बल पूर्वक प्रार्थना करेंगे कि इन जरायम पेशा के लोगों को कृपा करके हमारे हाथ में दे दें तब हम बतला देंगे कि तवा मांजने से साफ हो सकता है या नहीं। हम कैबिनेट के Indian और European मेम्बरान से प्रार्थना करेंगे कि इनको हमारे हाथ में दे दिया जाय मुझे पूर्ण आशा और विश्वास है कि हमारी संस्थायें तीन चार वर्ष में वह काम करके दिखला देंगी जो पचासों वर्ष में Government और Salvation Army के लोग नहीं कर सके। एक समय था जब हिन्दू लोग इन जरायम पेशा के लोगों को घृणा की दृष्टि से देखते थे परन्तु अब हर एक हिन्दू, नहीं नहीं हर एक Indian इस बात को चाहता है कि सात करोड़ अछूतों को गले से लगावें और इनका उद्धार करके लें।

[Pandit Raha Bihari Tiwari.]

ऐसी शक्ति पैदा कर दें जो देश और Government दोनों के लिए सहायक और लाभकारी हो सके। मैं आशा करता हूँ कि जो प्रस्ताव ठाकुर साहब ने पेश किया है सब मेम्बरान उसका हृदय से समर्थन करेंगे और उसे सर्व सम्मति से पास करेंगे कि इन जरायम पेशा के लोगों के सुधार के काम को आर्य समाज तथा हिन्दू सभादि को सौंप दिया जावे। इनका सुधार होने पर Government की बहुत सी परेशानियाँ कम हो जावेंगी और Government का बहुत धन पुलिस आदि के कम रखने से बच जावेगा और प्रजा भी सुख और शान्ति पूर्वक रह सकेगी।

**Thakur Hukum Singh :**

मैं प्रस्तावक महाशय को हृदय से धन्यवाद देता हूँ कि उन्होंने इस आवश्यक बात की और Government का ध्यान आकर्षित किया है। मुझे पिछले समय में बहैसियत प्रेसोडेन्ट आर्य प्रतिनिधि सभा U. P. के गवर्नमेन्ट से कई दफा दरखास्त करने का मौका आया था और Government ने मेहरबानी करके हमको कई मामिलात में मदद दी थी। मैंने depressed class के उद्धार के लिये बहुत बड़ा काम किया है एक जाति पहाड़ी पर रहती है जो नायक कहलाती है। इसके सुधार के वास्ते मैंने बहुत कोशिश की थी उसमें भी गवर्नमेन्ट ने हमको मदद दी थी। अब जब हिन्दुस्तान की अवस्था इतनी सुधर गई है कि तमाम हिन्दू, देश के निवासी, आर्य समाजी, सनातन धर्मी हर एक जाति के सुधार के लिए उठ पड़े हैं तो मेरे इयाल में काफ़ी वक्त इस बात के लिए आ गया है कि Government मेहरबानी करके इन जातियों को सुधार करने वाली संस्थाओं के हाथ में दे दे ताकि वह इनका सुधार करके बेहतर असर उनमें पैदा कर सकें जो देश के वास्ते हितकर होगा। मैं आप लोगों का और Government का शुक्र गुजारूंगा यदि Government कृपा करके इनको आर्य समाज को दे दे जो अच्छी तरह से इस बात के लिए तय्यार है मेरे इयाल में तमाम हिन्दू सभा और आर्य समाज इसमें सहायता देने के लिए तय्यार हैं और परस्पर मिलकर इस काम में हाथ बटाने के लिए तय्यार हैं। इस लिये उम्मेद है कि तमाम हाउस मिलकर सर्व सम्मति से इस मोशन को पास करके हमें सहायता दे ताकि Government criminal tribes के लोगों को हम लोगों के हाथ में दे दे और हम लोग इनका सुधार और सेवा कर सकें।

**Mr. E. Ahmad Shah :** I would like to speak on this motion because reference has been made to the work which is being done by the Salvation Army. I am not going to discuss their policy, but inasmuch as they have been rendering good service to that section of people of our country who were living altogether unnoticed for a very long period, I think I ought to speak on their behalf in this House. The demand from my countrymen, belonging to another community, from the Government to help them in the same cause is laudable and is welcomed by every section of the people of this country. But while good work is being done by the Salvation Army, I do not think that members of another community would like that work to be discontinued; the help so rendered after all has

done good to the people who belong to the down-trodden classes. Members of other communities can work side by side with that community and try their level best to reform them and to better their position.

Reference has been made that lakhs of rupees are being given to the Salvation Army for the reformation work. But from the budget I find that only a provision of Rs. 56,942 is made. That demand is not too exacting, considering the work which has been done by the Salvation Army people. Members of other communities are welcome to demand a similar sum of money for the work which they are now ready to do, and I think everyone will support them provided the funds are available to meet that demand. A reference was made by one of the speakers that the Salvation Army people do not pay their workers sufficient money to maintain themselves. I have a personal knowledge of the work done in the Bareilly district, where the Salvation Army people have got a settlement for the well-being of this community. Of course it is very difficult to say what particular amount will suffice for a particular section of people on which they can live decently. But a majority of those people who have been working in these industrial settlements managed by the Salvation Army people are much better off now than what they were before. There may be cases of persons who are hard up. But certainly there are a large number of cases who are much better off now since they have begun to work in these settlements.

The people of the Bhandu tribe were Hindus originally. It is left to them to remain Hindus or to choose any other religion if they find that they will be able to better their condition in any manner. There is no compulsion. But perhaps the simple lives of the people working with these persons appeal to them, and if in view of that they choose to change their religion I do not see why any one should object to that, because after all the main point is to reform them, to better their position and to make them better citizens.

*At this stage the Deputy President took the Chair.*

All the possible and available means should be used whether through the Salvation Army, the Arya Samaj, the Sanatan Dharam or the Muslim organizations. We should welcome all these channels. I would like to make another observation, and that is this. Members of the different communities should not consider that if one becomes a Christian he is lost to the country or has become denationalized or has gone out of the fold of his countrymen. I stand here as a representative of that community, and I do not think any one of the members of this House will consider that I am lost either to my country or to my people. I am as much an Indian as any one of you can claim to be. The change of religion is a matter of conviction; it is a personal thing, and it should be left open to the individual to follow or embrace one religion or another without any compulsion or inducement being brought upon him.

The different members who have spoken on this point have urged the Government to help them in the cause of reformation of these tribes. I support that view, and I would also ask the Government to look into the cases of the different bodies that come forward with their suggestions. And if the Government finds that these bodies have got means, have got earnest people, have got good institutions, it should concede to their wishes, because we are after all here to look to the good of the down-trodden people.

**Thakur Bikram Singh :** I had no intention to express my views on this debate, but since my friend Mr. Bhagwati Sahai Bedar mentioned my name, I may say at once that he has my full and hearty sympathy in this direction. I believe that the remark that Mr. Bedar made was the result of the question of sending the Bhantus to the Andamans. I wish to assure the honourable members that they have my full sympathy, but since the Hon'ble the Home Member gave the assurance that the Bhantus are sent to the Andamans at their own request, I thought it was advisable for the House to accept that explanation.

I welcome the scheme of Arya Samajists or any other Samaj wholeheartedly, and I sincerely hope that such Samajes will be of immense help to the criminal tribes.

I therefore, not only as a Hindu but as an Indian, give my wholehearted support to the motion.

**Saiyid Habib-ullah :** I rise to support this motion wholeheartedly. I think it is fair that if the Hindu gentlemen—either the Arya Samajists, Sanatan Dharmists or others—want to take over charge of this criminal tribe and to reform them, every opportunity should be given and Government should give them every help and financial support. That is all I have to say. I want the Hindu gentlemen to know that the Muhammadans are with them.

**Mr. H. C. Desanges :** Something has been said about the Salvation Army, and I should like to put before the House my opinion as to the work done by the Salvation Army. I have been in touch when I was at Bareilly with the Salvation Army settlement there in connexion with the Bhantus. In the main I agree with my Hindu friends in the House that if the Arya Samaj or any other body of people want to come forward to help their own people, they ought to be allowed to do so. But I rise here to say a word in gratitude and thanks on behalf of my Indian friends and on behalf of the Bhantus for what the Salvation Army people have done. This is what I want to bring before the House that the Salvation Army people did not take over the Bhantus to Christianize them; they took over the Bhantus to humanize them. The other pertinent fact is this, that when the Bhantus were groping and going astray my friends here did not come forward, but the Salvation Army people came forward and said:—"Give us a chance to rectify and humanize these people." Where was the fault? Surely not the Government's. Therefore assistance ought to be given to those people who first came forward voluntarily in order to humanize a lost criminal tribe. The Salvation Army people, as anybody who has read about them will know, have done excellent work even in England in connexion with the submerged tenth, and in that spirit they came forward to this country. Anyone who has come across Salvation Army officers know that they are unselfish and they work on wages today which are much less than the rank and file of the British Army draw. I said the Salvation Army came forward in a spirit of humanitarianism. See what they have done; they have taught the Bhantus at Bareilly handicrafts, spinning, durrie-making, curtain-making, etc., teaching them honest ways of livelihood. The cotton goods turned out at Bareilly from the Bhantu settlement under the Salvation Army will stand comparison with awnpore. If, therefore, the Bhantus want to go to the settlement run by the Salvation Army people, I think they ought to be allowed to do so.

**Pandit Govind Ballabh Pant :** I wanted to put a few questions, and I will stick to my original intention. But before doing so I think it is due to me to make a few remarks in order that there may not be any misapprehension. So far as the Salvation Army is concerned, I am full of admiration for their missionary zeal and devotion to their faith. If this motion had been brought before the House, I think it is not because there is any quarrel with the Salvation Army for doing what they thought they ought to do out of loyalty to their faith, but it is with a view to give expression to the dissatisfaction that the members of this House feel that with the aid of a Government grant proselytizing activities are encouraged so as to convert the members of one of the indigenous communities to some other faith. I think that is the principle involved in the motion and the situation of the Salvation Army should not be in any way confused with the substance that is under discussion. I may say at the very outset that my regard for the Salvation Army is all the greater because I notice that it is the only group who have been making an earnest and sincere effort to adjust themselves to the mode of living that prevails in this country. They put on the dhotis, slippers, have their feet naked and go about serving in the villages living just as the ordinary villager does. I wish the honourable members sitting opposite were able to adopt such a mode of life. Well, leaving that aside now, I will just put a few questions so that the Government, if they will be pleased to give replies to them, may enlighten me. Of course, it has been my misfortune that in some cases they have not cared to take notice of the questions put. Firstly, I want to know whether the Salvation Army has been issuing any report and whether the Government has been publishing any report of the activities of the Salvation Army in connexion with these settlements. I also want to know if there is any report published by the Jail department or by the Government dealing with the Kalyanpur settlement, for so far as I am aware I have not seen any such report myself, at least in recent years. The next point that I want to know is how many of the Bhandus in the settlement are Christians and how many are non-Christians. The third point that I want to know is whether the Government had to pay anything in order to enable the Salvation Army people to meet the cost of passage money of the officers whom they might have considered it necessary to import from abroad to look after the activities of the Salvation Army inside the settlement. The next point that I want to know is whether the Government is aware of the attitude of the Salvation Army people towards the inmates of these settlements so far as their religious conviction or creed is concerned. Mr. Ahmad Shah said, and very rightly, that religion is a matter of personal conviction. I would like to know whether any member of the community to which Mr. Ahmad Shah belongs or any one belonging to the jail or any other department under the Hon'ble the Home Member has cared to find out whether any person residing in the settlement has accepted the Christian faith because of his rational conviction, and if he has, I will be delighted to know that the Bhandu has developed such a keen intellectual and analytical faculty that he can distinguish between the different creeds and select the one that suits him best.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In which settlement?

**Pandit Govind Ballabh Pant :** In the settlement which is under the Salvation Army, or even if it be outside, it would be very hopeful news and inspiring in certain respects.

[Chaudhri Vijai Pal Singh.]

settled seven rupees for one night so that they might go and commit theft. They could not return till eight in the morning. Then the police constable after waiting till eight went over to the police station and reported the case to the head constable. The head constable waited for two hours. Meanwhile those three criminals went to the thana and reported that they had come. That head constable demanded Rs. 7 more from them. Thus the three criminals were compelled to give Rs. 14—seven to the head constable and seven, as was already settled, to the constable. He told me that they were pressed by the police constable to give bribe and therefore they had to commit theft. He further said :—“If we do not commit theft, how can we give him bribe? Even if we remain at our homes and do not give any bribe to the police constable, he would report that such and such a man was absent from his home. The very moment he reports against us prosecution is launched against us, and what is the result? When we do not commit theft we have no money with us, and when we go to jail we cannot live there a comfortable life. When we commit thefts, a policeman is there. We are sent to jail only when we are caught red-handed. Unless we are caught red-handed, no one can suspect that we are committing thefts. Suppose we are caught red-handed and we have money with us, we go to the jail, distribute that money to the jail warders, to the police constables and to all those who are the custodians of our rights and liberties there and we live there a very comfortable life.” I asked him whether there was anything which he could not get in the jail for money. He told me that they could get everything. There is a proverb in the villages “Ajkal rupiye ki dusri khudai hai”, but by remaining six months in jail I came to know that money is not next to God, rather money has dethroned God as far as jails are concerned. If you have money, you can have everything you like there. Once I was thinking that the jail warders and jail officials could not supply prostitutes to the offenders. There was one warder who told me that once it so happened in the Central Jail, Agra, on the occasion of *dhulendi* that a dancing party was held there. The jail warders gave a bottle of wine to the jailer and arranged to bring a prostitute for the dancing party. From 10 p.m. till 4 a.m. there was the dancing party and the prisoners there contributed about Rs. 350 towards the cost of the function. Had it been within my power I would not have satisfied myself with moving a token cut, rather I would have moved a substantive cut, reducing not two thousand, not four thousand, not ten thousand like our moderate leader Mr. Govind Ballabh Pant, but the entire sum which is demanded for this department, because it is my firm conviction that we shall not be worse off if all these jails are demolished altogether.

Yesterday one honourable member put certain questions to me. He asked me whether I had anything to suggest for making improvements in jails. I told him quite frankly that I was at a loss to suggest anything because I know—I may be wrong, but that is my conviction—that the whole machinery of the Government is rotten to the core, and the Jail department being a part and parcel of that machinery could not be improved in any way unless the whole structure of the Government is demolished and remodelled on healthy lines. If, however, the Hon'ble



the Home Member is sincere to effect some improvement in the Jail department I will suggest two things :—

- (1) that habitual offenders should be kept separate from first offenders; and
- (2) that under-trial prisoners should be allowed perfect freedom in obtaining their necessities from outside.

Why I think it necessary that habitual offenders should be kept separate from first offenders is this that one day two criminals were brought to jail. One of them was a first offender and the other was one who had been in jail for sixteen years. What was the condition of both these persons? The first offender was shivering with fear, trembling, shedding tears, while the habitual criminal was sitting there, snug and comfortable not fearing at all the jail life. At least that is my personal experience that jail life has some fear for first offenders only so long as they do not enter the four walls of a prison. The very moment they know a jail, this whimsical or visionary fear altogether vanishes. It is not only with the criminal offenders, rather it is the same with political offenders. If Government is sincere that the jails should have the desired effect, I would like to suggest in the end that all those at least who are taking some part in politics should be sent for six months to a jail, because then this false fear of prison life would disappear altogether and they would become wiser counsellors, wiser for administering departments, because I know if the Hon'ble the Home Member had the privilege of being an inmate of some jail for three or six months and had studied things there on the spot with his own eyes, he would have become far wiser and he would not have undertaken the duties of Home Member in case the portfolio of the Jail department was entrusted to him because it is altogether a waste of time.

With these remarks I support the motion of the honourable mover.

**The Hon'ble the President :** There is a motion under "district jails" in the name of Khan Bahadur Maulvi Fasih-ud-din. Will he move it or will he like to speak to the motion before us?

**Khan Bahadur Maulvi Fasih-ud-din :** No, Sir. I will speak on the general motion.

**Chaudhri Badan Singh :** I support the motion which is under discussion before the House. I have also been to jail two times, so I have got ample experience of jail life. I am telling you the truth without any exaggeration when I say that the Jail department is the worst.

**The Hon'ble the President :** We are discussing "district jails" and not the Jail department.

**Chaudhri Badan Singh :** I have been in two district jails, Sir, one Budaun and the other Bareilly.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** On what date did the honourable member visited the Budaun jail?

**The Hon'ble the President :** He will require notice for that.

**Chaudhri Badan Singh :** I do not remember the date. With these few words I support the motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** To the first point that was raised by the honourable mover I would simply say

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

again, that they are free to come back, and if any of them desires to come back we will be only too pleased to let him. They have been sent there on their own free will, and there is no compulsion about it. As to the question of sending a Hindu, I have said if someone will be forthcoming we will only too willingly send him there.

*The motion was put and the Council divided as below:—*  
*Ayes, 39; Noes, 43.*

*Ayes.*

Mr. A. P. Dube.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.  
 Babu Bhagwati Sahai Bedar.  
 Chaudhri Mangat Singh.  
 Chaudhri Vijai Pal Singh.  
 Chaudhri Dharamvir Singh.  
 Thakur Hukum Singh.  
 Rao Krishna Pal Singh.  
 Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Rao Sahib Kunwar Sardar Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.

Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Sirdar Nihal Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Mr. C. Y. Chintamani.  
 Mr. Zahur Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Hafiz Muhammad Ibrahim.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Khan Bahadur Saiyid Jafer Hosain.  
 Khwaja Khalil Ahmad Shah.  
 Rai Bahadur Munshi Ambe Prasad.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Rai Bahadur Babu Vikramajit Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Gillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. B. D'O. Darley.  
 Mirza Muhammad Sajjad Ali Khan.

Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. H. G. Desanges.  
 Mr. E. Ahmad Shah.  
 Rai Bahadur Lala Shyam Sundar Lal.  
 Thakur Bikram Singh.  
 Raja Kushal Pal Singh.  
 Babu Kishori Prasad.  
 Rai Bahadur Babu Abhinandan Prasad.  
 Kunwar Surendra Pratap Sahi.  
 Haji Abdul Qayum.  
 Lieut. Nawab Jamshed Ali Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan.  
 Shaikh Abdullah.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Hakim Mahub Ali Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Shaikh Muhammad Habib-ullah.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Mr. E. M. Souter.  
 Mr. J. P. Srivastava.

After the voting papers had been collected, and the votes counted, Muhammad Obaid-ur-Rahman Khan said:—Sir, by mistake I signed "Aye" and handed it over to the man who was collecting the papers; I then signed "No" and asked the man to return the "Aye" but he refused to return it.

**The Hon'ble the President:** Which side the honourable member desired to vote?

**M. Muhammad Obaid-ur-Rahman Khan.** I want to vote "No."

**The Hon'ble the President:** The vote "Aye" will not be counted.

**Khan Bahadur Saiyid Jafer Hosain:** I beg to move a substantive reduction by Rs. 20,000 in the item "Purchase of raw materials, supplies and services" under sub-head "Jail manufactures."

Honourable members will find this item at page 85 of the Detailed estimates, under sub-head "Supplies and Services." They will notice that the figure given in the budget estimate for 1925-26 under this head was Rs. 1,73,000, the amount actually spent in that year was Rs. 1,50,000. But for the next year the budget estimate is Rs. 1,83,000. Therefore, there is an excess of Rs. 33,000 over the revised estimate of this year. Since the prices have gone down my submission is that there is considerable room for reduction. I hope Government will accept this motion.

**Mr. H. A. Lane:** This is the same point as the Financial Secretary has explained. If honourable members will refer to page 203 they will find that the proceeds from jail manufactures are estimated to be Rs. 37,000 more than the revised estimate of this year and Rs. 65,000 more than the budget estimate of this year. It is in order to make it possible to produce greater revenue than it is necessary to incur more expenditure on the purchase of raw material.

**Khan Bahadur Saiyid Jafer Hosain:** I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Mukandi Lal:** I beg to move a substantive reduction by Rs. 46,947 of item concerning "Jail manufactures."

This item concerns the Jail manufactures. Judging from the speeches made in the morning I thought that I should start with a business proposition. Fortunately, or unfortunately, the soft corners of the hearts of the honourable members have been moved by the hardhearted Bhantus, and they lapsed into making long speeches. I want to set them a good example by putting this business-like proposition before them, namely, the reduction of the excess amount that the department has demanded over last year's revised estimates. I would like to put one or two questions to the Government, and if I am satisfied as to why they want to spend more money on jail manufactures I should be quite prepared to withdraw my motion. The first question I would like to put to Government is: Do you mean to be self-supporting as a jail department? When you indulge in manufacturing articles in the jails is it the policy of the Government to be self-supporting?

**The Hon'ble the President:** The policy of the Government can be discussed only on a token cut.

**Mr. Mukandi Lal:** My proposition is a business proposition. That is to say, if I am convinced that the Government want the House to grant them Rs. 46,000 and odd as a business proposition, and, if I am convinced about the policy of the Government on this, then I am prepared to withdraw the motion. Otherwise not. So I must know what their policy is, whether they want to be self-supporting whether they want to compete with private manufacturers and mills, how far they have succeeded in being business-like and what profits they have made. If you think that by asking these questions I am discussing the policy of the Government. . . . .

**The Hon'ble the President:** It is discussing the policy of the Government. That must be discussed by means of a token cut rather than on motion for a substantial cut.

**Mr. Mukandi Lal:** At this stage I will confine my remarks by saying that if the Government is prepared to justify the excess demand they have made as an economic proposition by asking the Council to grant this amount for the purchase of raw material to be used in jail manufacture, or for necessary machinery and implements then alone the Government is entitled to come before the House with a large demand. If they cannot justify this demand then I submit I would have to press this cut to its logical conclusion.

**Mr. E. A. H. Blunt:** It has just been explained by the Revenue Secretary in his speech that we have asked for more money to buy raw material because we hope to make bigger profits. We hope for an increase of revenue as a result of this extra expenditure. The Hon'ble Mover wanted to know whether we are making this a business proposition. Well, roughly speaking, on  $4\frac{1}{2}$  lakhs expenditure we hope to make  $6\frac{1}{2}$  lakhs—a very fair profit.

**Mr. Mukandi Lal:** As I cannot discuss the policy of the Government under this motion, I beg to withdraw it.

*The motion was, by leave of the Council, withdrawn.*

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I beg to move a (substantial) reduction by Rs. 4,500 of item concerning "Works" under sub-head "B—Central Jails." If honourable members will turn to page 85 of the Detailed estimates they will find, at the end under sub-head "Maintenance and Repairs" that the sum granted last year was Rs. 26,022. It was the first year when under this sub-head a separate sum was allotted. Now a sum of Rs. 30,822 is allotted. Thus there is an increase of Rs. 4,800 more than the amount granted last year. If for the maintenance and repairs of central jails a sum of Rs. 26,022 was quite sufficient last year I do not know why there should be an increase this year. If this reduction is accepted by the Council there will still remain in the hands of the Government a sum of Rs. 30,822 for that expenditure. I hope Government will accept this reduction.

**Mr. E. A. H. Blunt:** I am afraid this increase was by an oversight not explained in the Memorandum. The rates and taxes have been taken away from contingencies and lumped together in this one place. There is no extra expenditure whatever.

*The motion was put and negatived.*

**The Hon'ble the President:** I hope the honourable members will bear in mind what I said the other day as regards token cuts. While making a token reduction under a particular sub-head the honourable members should confine their remarks to questions relating to that sub-head. If they desire to discuss the policy of the department, they should do so under motions concerning the whole head.

**Vikramajit Singh:** I beg to move a token reduction under sub-head "B—Central Jails" (page 81 of the

It is only with a view to elicit some information from the Government that I have moved this motion. I wish to inquire how many superintendents there are in central jails, what are their qualifications, and how many of them are Indians and how many non-Indians. If the number of Indians is small, I wish to know the reasons. Further, I wish to find out whether jailors in the central jails are Indians or non-Indians, and if there are some Indian jailors, may I know what their number is ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sai'd Khan :** The superintendents of central jails are I. M. S. officers. Only lately Mr. Ganda Singh was officiating in that post. The permanent Indian superintendent is Captain Salamat-ullah. The reason why there are so few Indians in the post of superintendent is that only such men are eligible for the post as are I. M. S. officers, and there are not very many Indians in the I. M. S. cadre.

As regards jailors, there is only one Indian in charge of a central jail.

**Pandit Govind Ballabh Pant :** I have to put two questions to Government relating to central jails. The first relates to the release of prisoners on account of remission of their sentences. If the honourable members will kindly look at the report, they will find that the proportion of those who are released on account of or by virtue of remissions of their sentences for good behaviour and other things is very small in central jails as compared with what it is in district jails, and again there is not much uniformity between the different jails. I would refer Mr. Yorke to page 10A on the report, and he will see there the substance of what I am submitting.

The other point to which I wish to refer is why persons sentenced to very small terms of imprisonment are still sent to central jails. These jails, so far as I know, have been reserved for long-term convicts, and short-term prisoners should not be brought in contact with them.

These are the only two points on which I want information.

**Mr. H. A. Lane :** The honourable member for Naini Tal has asked, firstly, why releases on account of remissions are fewer, I understand, in central jails than in district jails. The reason is that the prisoners in central jails are nearly all long-term prisoners, and therefore at any given time there are fewer of them who are entitled to profit by the remission rules. There is also another consideration. About two years ago the system of revising sentences was introduced. The principle now is that in the case of a short-term prisoner his case comes up before the revising board when he has finished half of his term of imprisonment. In the case of long-term prisoners it does not come up quite so soon. Naturally the short-term prisoner is likely to be recommended by the revising boards for early release in more cases than the long-term prisoner, who is a confirmed criminal. Therefore, the prisoners who are in the district jails are, under the recommendations of the revising board, more likely to secure early release than the prisoners in central jails. There is another point which will lead to a certain amount of difference. In the case of long-term prisoners, when their term of imprisonment is about to expire, they are often transferred to the jail of their district of residence or to a district jail near their home, and therefore in many cases a long-term prisoner is shown as released from a district jail who, as a matter of fact, served in a central jail.

[Mr. H. A. Lane.]

The other point with regard to which the honourable member asked for an explanation is why it sometimes happens that prisoners undergoing short-term imprisonment are confined in central jails. I believe that this does not often happen. But in some cases it is necessary to employ these short-term prisoners for work outside the jail in which it is not considered desirable to employ the more dangerous type of criminal confined in central jails. Therefore it is necessary sometimes to transfer a short-term prisoner to a central jail for employment in this way.

**Rai Bahadur Babu Vikramajit Singh :** One point is not clear from the reply of the Hon'ble the Home Member. Does he mean that the I. M. S. is a minimum qualification for one being a superintendent of a central jail, or whether a person who is not an I. M. S. can also be appointed as superintendent of a central jail. In case his answer is that only an I. M. S. can be appointed, then whether the letter 'I' in I. M. S. stands for 'Indian' or for 'imported.'

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** believe that five of them are reserved for the I. M. S. and one is open to the I. M. D.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a (token) reduction of Rs. 100 under sub-head "(4) Supplies and Services" (page 82 of the Detailed estimates).

It is a token reduction, and my object is to draw the attention of the Hon'ble Home Member and other jail authorities to the scanty clothing that is given to the prisoners in the jails. On his admission a prisoner is allowed one kurta, one janghia, one taulia, one langota, one tikoni, and these are to last for nine months. He is also given an izarband which is to last for 18 months. This clothing is much too scanty, and it is very difficult to carry on with these clothes for such a long period. A double set should, therefore, be provided, and the period of their retention should be curtailed.

The second point is that, although last year we were told the juar will be discontinued or alternated, I find on inquiry that juar is still being used in exactly the same quantity.

It is only to draw the attention of the Hon'ble Home Member to these things that I have moved this token reduction.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Two points have been brought to our notice. One is the juar diet and the other is the scanty clothing. There was a proposal to give them two sets of clothes in the jails, but on calculations it was found very costly. That is the reason why we could not give them any more than we did. But I remember that as far as such prisoners are concerned who want to do some religious worship, either Hindus or Muhammadans, they are given a sort of *tahmat* to do their worship.

As to the second point, about juar that has been raised, we do not agree—and our figures for health show—that the juar diet has done any harm to the health of the prisoners. Still, as it has been constantly urged by this House, that juar should not be given as a diet to our prisoners, we are willing to accept that in future we will not buy juar, and we will ask the

Inspector-General of Jails to give bajra and maize instead of juar for the diet of the prisoners. I think this should satisfy the honourable mover.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

*The Council here adjourned for lunch.*

*After the recess—*

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a token reduction of Rs. 100 under the entire head " District jails (voted) ".

My only point is to find out what has happened to the idea which was lately afoot that members of the Executive service should be put in executive charge of jails instead of civil surgeons. I want to find out if this has matured or if it has been given up entirely. If so, what is the reason for giving it up?

**Chaudhri Vijai Pal Singh :** Whenever I think of anything being desirable or undesirable, I am reminded of the classic phrase of Shakespeare that there is nothing like unmixed evil or unmixed good in the world. I wish Shakespeare had been here in India in these days and would have become wiser by seeing with his own eyes that there is, at least to my mind, one department in India, called the Jail department, which may be fitly described as an unmixed evil. While I regard this Jail department as an unmixed evil, I am reminded of a story once told by my friend Mr. Bhagwati Sahai Bedar at the Ganges fair at Garhmuktesar that there was a civil surgeon who was treating a patient in a district jail; whenever the civil surgeon came to him and put questions asking him whether he was feeling all right, he said :— " Sir, I am suffering from this pain." And whenever the civil surgeon came he repeated the same story. Then the civil surgeon, who was a Bengalee gentleman, said :— " Tum sala, mar jaega ". When there were so many complaints with him, the doctor despaired of curing him. I cannot condemn this Jail department in a better way than by describing the statement of the Hon'ble the Home Member that the jail population is gradually increasing. This very statement that the jail population is increasing daily is self-condemnation of this very department. I know, as Rai Bahadur Thakur Hanuman Singh said, that the British Government claim they can reform, civilize and improve any class of humanity. That I admit, but only when there is a will. If the Government want they can do so. But there is another Rai Bahadur, Babu Vikramajit Singh, who told us that he suggested one robust and learned person so that he might reform the habits of habitual offenders, but his services were not accepted by the Government. These statements of these two Rai Bahadurs very strongly support my view that though the Government can reform these offenders, the Government does not want to do so, because it is my firm conviction that the strength of the Government lies in undermining our morals and in making as many Indians as possible habitual offenders. In support of my statement I may cite one case. While I was in Bulandshahr jail there was one habitual offender named Matru. I put the question to him :— " Can you not give up your criminal habits and take to agriculture or some other healthy occupation." He told me that he could not. I then asked him his reasons and he said :— " As soon as a member of my community is registered, a policeman is appointed to watch his activities " He told me that it so happened one day that three of them

[Chaudhri Vijai Pal Singh.]

settled seven rupees for one night so that they might go and commit theft. They could not return till eight in the morning. Then the police constable after waiting till eight went over to the police station and reported the case to the head constable. The head constable waited for two hours. Meanwhile those three criminals went to the thana and reported that they had come. That head constable demanded Rs. 7 more from them. Thus the three criminals were compelled to give Rs. 14—seven to the head constable and seven, as was already settled, to the constable. He told me that they were pressed by the police constable to give bribe and therefore they had to commit theft. He further said :—“If we do not commit theft, how can we give him bribe? Even if we remain at our homes and do not give any bribe to the police constable, he would report that such and such a man was absent from his home. The very moment he reports against us prosecution is launched against us, and what is the result? When we do not commit theft we have no money with us, and when we go to jail we cannot live there a comfortable life. When we commit thefts, a policeman is there. We are sent to jail only when we are caught red-handed. Unless we are caught red-handed, no one can suspect that we are committing thefts. Suppose we are caught red-handed and we have money with us, we go to the jail, distribute that money to the jail warders, to the police constables and to all those who are the custodians of our rights and liberties there and we live there a very comfortable life.” I asked him whether there was anything which he could not get in the jail for money. He told me that they could get everything. There is a proverb in the villages “Ajkal rupiye ki dusri khudai hai”, but by remaining six months in jail I came to know that money is not next to God, rather money has dethroned God as far as jails are concerned. If you have money, you can have everything you like there. Once I was thinking that the jail warders and jail officials could not supply prostitutes to the offenders. There was one warder who told me that once it so happened in the Central Jail, Agra, on the occasion of *dhulendi* that a dancing party was held there. The jail warders gave a bottle of wine to the jailer and arranged to bring a prostitute for the dancing party. From 10 p.m. till 4 a.m. there was the dancing party and the prisoners there contributed about Rs. 350 towards the cost of the function. Had it been within my power I would not have satisfied myself with moving a token cut, rather I would have moved a substantive cut, reducing not two thousand, not four thousand, not ten thousand like our moderate leader Mr. Govind Ballabh Pant, but the entire sum which is demanded for this department, because it is my firm conviction that we shall not be worse off if all these jails are demolished altogether.

Yesterday one honourable member put certain questions to me. He asked me whether I had anything to suggest for making improvements. I told him quite frankly that I was at a loss to suggest anything. Now—I may be wrong, but that is my conviction—that the machinery of the Government is rotten to the core, and the Jail Department and parcel of that machinery could not be reformed unless the whole structure of the Government is built on healthy lines. If, however, the Hon'ble



the Home Member is sincere to effect some improvement in the Jail department I will suggest two things:—

(1) that habitual offenders should be kept separate from first offenders; and

(2) that under-trial prisoners should be allowed perfect freedom in obtaining their necessities from outside.

Why I think it necessary that habitual offenders should be kept separate from first offenders is this that one day two criminals were brought to jail. One of them was a first offender and the other was one who had been in jail for sixteen years. What was the condition of both these persons? The first offender was shivering with fear, trembling, shedding tears, while the habitual criminal was sitting there, snug and comfortable not fearing at all the jail life. At least that is my personal experience that jail life has some fear for first offenders only so long as they do not enter the four walls of a prison. The very moment they know a jail, this whimsical or visionary fear altogether vanishes. It is not only with the criminal offenders, rather it is the same with political offenders. If Government is sincere that the jails should have the desired effect, I would like to suggest in the end that all those at least who are taking some part in politics should be sent for six months to a jail, because then this false fear of prison life would disappear altogether and they would become wiser counsellors, wiser for administering departments, because I know if the Hon'ble the Home Member had the privilege of being an inmate of some jail for three or six months and had studied things there on the spot with his own eyes, he would have become far wiser and he would not have undertaken the duties of Home Member in case the portfolio of the Jail department was entrusted to him because it is altogether a waste of time.

With these remarks I support the motion of the honourable mover.

**The Hon'ble the President :** There is a motion under "district jails" in the name of Khan Bahadur Maulvi Fasih-ud-din. Will he move it or will he like to speak to the motion before us?

**Khan Bahadur Maulvi Fasih-ud-din :** No, Sir. I will speak on the general motion.

**Chaudhri Badan Singh :** I support the motion which is under discussion before the House. I have also been to jail two times, so I have got ample experience of jail life. I am telling you the truth without any exaggeration when I say that the Jail department is the worst.

**The Hon'ble the President :** We are discussing "district jails" and not the Jail department.

**Chaudhri Badan Singh :** I have been in two district jails, Sir, one Budaun and the other Bareilly.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** On what date did the honourable member visited the Budaun jail?

**The Hon'ble the President :** He will require notice for that.

**Chaudhri Badan Singh :** I do not remember the date. With these few words I support the motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** To the first point that was raised by the honourable mover I would simply say

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

that I am not aware whether there was any proposal that in future, instead of Indian Medical Service Officers, Indian Civil Service Officers should be superintendents of jails. I have not seen that proposal, and I do not know how the honourable member got this idea that there was some such proposal with the Government.

Now coming to the points raised by another member, I should like to say that I agree with him that there is nothing in the world which can be called unmixed evil or unmixed good. But I differ from him when he says that the Jail department is an unmixed evil. I do not know whether it is mixed or unmixed evil, but I know for certain that it is a necessary evil and you cannot get on without a Jail department. I would leave it to the representatives of the peaceful citizens of the province to think that whether it will be a good thing if all the jails are demolished as was proposed by my friend here and all these dacoits and robbers are let free to deal with the peace loving citizens of the province. There were two suggestions that were made by my honourable friend. First of all it was that habitual offenders should be kept apart from the first offenders. I believe we are already doing it, because we have got separate wards for them, and as soon as our Meerut Central Jail is constructed the scheme is to keep all the long-term habitual offenders separate in one jail and to keep the others apart from them. The other suggestion was that under-trial prisoners should be allowed to get all their necessary things from outside. This privilege they already enjoy. Coming to the last speaker, it is, Sir, astonishing that my friend here complained of the administration of the Budaun jail. When I asked him the date, my reason was that here is his inspection note on the Budaun jail which is dated March 3, 1927. Perhaps this is the last visit he has paid and here he says:—"Today I inspected the jail. There are about 411 prisoners and under-trials. I went round the jail and found not a single jail inmate complaining. Dall was good and loaves were well baked. The cleanliness was also admiring." The discipline, to the best of my knowledge, has been exemplary. I have nothing to write against the jail authorities, and their work has been most satisfactory."

**Chaudhri Badan Singh:** On a personal explanation, Sir. Perhaps the Hon'ble the Home Member has not gone through the inspection note I wrote last year.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Last year the condition might have been very bad, but it has improved so much. I think it is a credit to the Jail department and those responsible for the Jail department that within a single year the condition improved so much that while the honourable member wrote a scathing note last year, he wrote such a nice note this year. After this I hope the honourable members will withdraw not only this motion but all motions, because this report is from one man in jail and is wiser. That is also the reason why the Home Member must go there, because he can take advice from so many who have been there and are wiser.

*move of the Council, withdrawn.*

**Shri Sanadur Babu Mohan Lal:** I beg to move a token reduction of Rs. 10 under sub-head "E.—Lock-ups."

My object in making this motion is to bring to the notice of the Hon'ble the Home Member two facts which have been brought to my notice. One is that the persons who are sent to lock-ups when they are sent up for trial are not allowed to take their blankets which are given to them for covering their persons in winter season. They are allowed to take with them only those clothes in which they were at the time of arrest. If my information is not correct I am open to correction, but if this is so I hope the Home Member will look to it and will make a rule that persons when they are arrested and if they have not sufficient clothing, may be allowed to use the clothing which is given to them in the lock-up when they are sent up for trial.

The next point that I want to bring to the notice of the Home Member is that females when they are sent up for trial to camp before magistrates are put to a lot of inconvenience and lot of insults as has been brought to notice. And if this is so, I think the jail authorities should be told to see that their cases be not tried in camp but at headquarters. If it is possible for the Home Member to do so I hope he will look into this matter also. These are the two points which I want to bring to the notice of the Home Member in connexion with this token motion.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Both points raised by my honourable friend will receive our consideration. The point that he has raised about females being tried in camp I think we will have to consider in the department of administration of justice. The Jail department cannot prevent prisoners being tried in camp. The jail has to send prisoners wherever courts want them, and it is for the courts to make arrangements. But as I said, both points will be considered.

*The motion was, by leave of the Council, withdrawn.*

**Rai Bahadur Thakur Hanuman Singh:** I beg to move a token reduction of Rs. 1,001 under sub-head "H.—Reformation of criminal tribes" (page 84 of the detailed estimates).

**The Hon'ble the President:** Why not make the figure ten rupees?

**Rai Bahadur Thakur Hanuman Singh:** All right, Sir. I reduce the figure to Rs. 10. Under this head Rs. 1,44,442 has been provided for expenditure during the next year, of which Rs. 69,112 is to be spent through the Salvation Army officers. Sir, before this too I had on the floor of this House opportunities to object to the employment of Salvation Army officers to be in charge of the criminal tribes. Their first effort is to convert them to Christianity and thereafter to reform them in such ways as they think possible. This is a very objectionable feature of the scheme which Government has adopted. The tribes are—I mean the criminal tribes—mostly Hindus. Therefore their reformation should be carried on through Hindu agencies and not Christian agencies or through any other agencies. The Hindu community as a whole some time back was negligent in this respect, but now it has come to know the importance of looking after these criminal tribes and the question of untouchability. They have learned by experience that they have been great losers in the long run, and if they will stick to the conservative views they will continue to lose. Men amongst the Hindus of experience and position will be found, if they be approached and consulted, to take charge of the reformation of the criminal tribes. I venture to say that the Government is wrong in spendi

[Rai Bahadur Thakur Hanuman Singh.]

such a large amount through the agency of the Salvation Army or its own employees, because its action has come to be suspected. If a committee, or I may call it a board, for the United Provinces be brought into existence and the money which is now spent through several agencies be placed in the hands of that board, the Hon'ble the Home Member or some other responsible officer may be made its president if the Government so chooses and all the criminals be brought to a limited number of places and Hindus be appointed to teach them better ways of living and to lecture them on morals and to bring them round from the wrong to the right path, I think Government will reap much more benefit than it is reaping at present. At least to my mind this is a very sound suggestion which I throw out for the consideration of the Government, and I hope it will give its serious attention to it and come to some conclusion so that the complaint which is at present existing that the criminal tribes are being regularly converted into Christianity with the connivance and aid of the Government may be removed.

Sir, I would like to say that all those who belong to the criminal tribes are very much harassed by the police even when they lead an honest life. A story of this kind has in detail been related by my honourable friend from Naini Tal. Such harassment could be prevented by the Inspector-General of Police if he takes into his head the necessary duty to instruct his officers that such hardship on honest people should not be brought about. There is a caste known as Pasi mostly residing in these provinces. This Pasi caste is always harassed by the sub-inspectors. Whenever a sub-inspector happens to pass through a village he inquires about all the Pasis there and does not fail to utter nasty words about them. Most of them are honest. There are thieves also among them no doubt, but their number is not very large. Most of them are honest, and we who are zamindars rely on them and entrust them with lakhs of rupees and property and they never betray their trust. They make the best chaukidars also, of whom the Inspector-General is so very proud that he wants a very large increase in their number. This harassment sometimes forces the men, honest men I may say, to take to wrong ways of living. If you treat a criminal with kindness you may be able to reform him. But if you are hard on him, he may grow worse instead of reforming himself. There are one or two servants in my brother's service. After having been in jail they were released. When they were living in their homes after their release they were leading an honest life, but they were so much harassed by the police that they came to my brother and told him that they would not demand any salary, that they would not demand even food if they were permitted to live in his *kot*. My brother took them in his service and they are now free from police surveillance. They are now the trusted servants of the Siddauli

10 If a number of Updeshaks and lecturers on morals be employed in the villages of these criminal tribes be started, I think their lectures will be more good than police surveillance, because these criminals who derive great benefit from these lectures and religious

Well Sir, honourable members may laugh, but it has a great effect on every human mind. I am told—that when a Christian is sentenced to death a sermon is read to him. When the Christians believe it is good to the soul of the criminal in his

next life, I think a Pandit's sermon will do good to a man in this life. With these few remarks I would suggest to the Government that it should adopt some better means of reforming the criminal tribes than that which has been adopted hitherto and which has failed, and I assure the House that it will continue to be a failure unless some better and new methods are adopted.

**The Hon'ble the President :** There is a similar motion in the name of Lala Nemi Saran. Will the honourable member speak to this ?

**Lala Nemi Saran :** I do not intend to inflict a long speech on the House at this late hour when I believe we are all anxious to finish with the Jail budget and come to other items. But, Sir, I only want to bring two or three things to the notice of the Government mostly with a view to better the fate of the criminal tribes and improve the chances of their reformation. The honourable mover of this motion has said the Government is spending a large amount of money through the Salvation Army on the reformation of these tribes. We are as yet in the dark as to the results of the activities of the Salvation Army. As far as we could peep into the secrets of the Salvation Army working in the settlements from the reports which we could get from outside we know that the people who live there have to live a very hard life. They are treated there with cruelty. I know of cases where people living in the settlements have complained that they do not get sufficient wages for their labour so as to keep their body and soul together. To redress a grievance of this kind I wish to make a few suggestions, and I hope the Government will favourably consider them. To my mind, in all the settlements, whether controlled by the Government or by the Salvation Army, there should be introduced an outside element to keep itself in touch with their activities. Just as in jails we have got advisory committees, so also we should have non-official advisory committees for these settlements. In my own district there is a settlement, but nobody can be allowed to study for himself the conditions there. Consequently, my suggestion is that if the present system of settlements is going to be continued, they might be associated with advisory committees, so that the grievances of the people living there could be brought to light. My next point is, that those who are locked up in settlements are mostly Hindus, and it is but natural that they be given some sort of instruction pertaining to their religion. I have been approached by some Bhandus of the Najibabad settlement. They have told me that although they themselves cannot be reformed, at least their children be brought up in such an atmosphere as might help them to become good citizens. They also told me that they wish their children to be entrusted to such persons as would care to bring them up, give them education and thus make them fit for after-life. There are persons in Najibabad itself and in the district who are quite ready to act as guardians for these children, but the trouble is that they cannot be made over to them without the permission of the Government. In the interests of the children, therefore, I would request the Government to take steps to make over the children of the criminal tribes to such persons as wish to bring them up.

**Babu Bhagwati Sahai Bedar :** Just now, Sir, it has been said that sermonizing will affect the criminals, and this is why I am going to sermonize the Government.

[Babu Bhagwati Sahai Bedar.]

The Government has no business to snatch a portion of men from any community. Last time when I put a question to the Maharaja Sahib of Mahmudabad, the then Home Member, that a portion of these criminal tribes be handed over to the Arya Samaj for reformation on such conditions as they are handed over to the Salvation Army, his reply was that there are so many other criminal castes and tribes and attention should be diverted to reform them. Now since they are being sent to Andamans, I do not see any reason why the Government should not hand over these criminal tribes to the Arya Samaj. If this is not going to be done, I ask what right has any Government or Salvation Army to snatch away men from any community?

It is a question in which we Hindus are concerned and I have to see which of the Hindu honourable members will come forward and vote against this motion. I ask my friend Thakur Hukum Singh whether he is against this motion? Similarly I would ask Thakur Bikram Singh and Kunwar Surendra Pratap Sahi? I would ask all these honourable members to vote for the motion. If we do not do so, the Government will say that the Hindus do not want to take over these criminal tribes. We should press the Government to hand over these men to the Arya Samaj, Dharam Samaj or even to the Sikh community on such conditions as they are handed over to the Salvation Army.

That reply of the Maharaja Sahib had a mischievous move behind it and it has been given out today. I find that instead of their being handed over to the Arya Samaj, they are being deported to the Audamans. The Arya Samaj and other similar societies will reform them more than any other institution. I hope that today House will unanimously pass a direct vote of censure on the Government on this point. Your wishes also, Sir, will be met today as you were the first person to introduce this question in the honourable House some time ago.

**Pandit Rahas Bihari Tiwari:**

जरायम पेशा के लोगों के Settlement का प्रबंध अभी तक Salvation Army के हाथ में है। वह लोग इस बात का उद्योग करते रहे हैं कि वे लोग सुघर जाय। इस विषय पर आर्य प्रतिनिधि सभा U. P. ने Government से कई बार प्रार्थना की कि जो सहायता Government Salvation Army को देती है यदि वही सहायता Government आर्य समाज को दे तो वह (आर्य समाज) भली प्रकार से उनको चलाने के लिए तय्यार हैं। लेकिन अत्यंत शोक की बात है कि Government ने इस पर अभी तक कुछ भी ध्यान नहीं दिया। अभी चार हफ्ते की बात है कि लखनऊ ज़िले में २०० पासियों ने सल्लेनगर

सभा की और उस सभा में तीन चार प्रस्ताव पास किए गए। आप

“ लोग जरायम पेशा हैं जैसे पासी जब उन को किसी चोरी

कारण सजा मिलती है और जब वह जेल से बाहर

जाता किसी प्रकार का दंड नहीं दिया जाता है।

क बुरा काम करने वाले को जेल से लौटने पर

सजा दी जाना चाहिए अर्थात् जब ऐसे लोग

जेल से लौटें तो उनकी पंचायत कोई दंड अवश्य दे। दूसरा प्रस्ताव इस प्रकार का पास हुआ कि जितने पासी हैं वे सब शराब और मांस का खाना छोड़ दें। तीसरा प्रस्ताव यह पास किया गया कि हिन्दू उनकी सीखना आवश्यक है। तीनों प्रस्तावों के पास होने पर बनधरा के थानेदार साहब को इस की खबर मिली। उन्होंने तुरंत उस गांव में जाकर कहा कि तुम लोग आर्य समाजियों की सहायता लेते हो यदि तुम लोगों ने दूसरी सभा की जो तारीख २७ फरवरी १९२७ को भद्रहवा में होने वाली थी तो सब के सब पकड़ लिये जाओगे। मुझे जब यह समाचार मिला तो मैं तारीख २७ फरवरी को लखनऊ से भद्रहवा गया तो वहां मैंने एक आदमी को भी नहीं देखा थानेदार साहब अवश्य बैठे हुये थे। मैंने उनसे जाकर पूछा कि क्या इस प्रकार की कोई आज्ञा Government ने दी है कि जो पासी लोग अपना सुधार आर्य समाज द्वारा करना चाहते हैं उसमें आप बाधक हैं? क्या Superintendent of Police या Deputy Superintendent of Police को और से कोई ऐसी आज्ञा आप को मिली है जिसकी रू से आप इस प्रकार की धर्मक्रियां देते हैं? उन्होंने कहा कि क्या आप लोग समझते हैं कि काला तवा मांजने से साफ हो सकता है मैंने कहा कि जो हां साफ हो सकता है यदि परिश्रम किया जाय। मैंने कहा कि जब Government लाखों रुपया प्रति वर्ष Salvation Army को जरायम पेशा के लोगों के सुधार के लिये देती है तो कोई कारण प्रतीत नहीं होता कि वह हम लोगों द्वारा इन पासियों के सुधार के लिये बाधक हो। एक और तो Government लाखों रुपया Salvation Army को इनके सुधार के लिये देती है और दूसरी और हमारे कुछ राज कर्मचारी हमारे काम में इस प्रकार से बाधक होते हैं। मैं जानता हूं कि इस आज्ञा को Superintendent of Police ने नहीं दी थी बल्कि थानेदार साहब स्वयं वहां गये थे इस ख्याल से कि Criminal tribes के लोग यदि आर्य समाजियों के साथ मिल जायेंगे तो उनकी शक्ति बड़ी भारी हो जायगी हम Government से प्रार्थना करते हैं कि वह आर्य समाज, सनातन धर्म सभा, और हिन्दू सभा से कहे कि इन जरायम पेशा के लोगों को तुम ले लो। अब तक Government ने हमारी प्रार्थनाओं पर कुछ भी ध्यान नहीं दिया है। हम Government से बल पूर्वक प्रार्थना करेंगे कि इन जरायम पेशा के लोगों को क्षमा करके हमारे हाथ में दे दें तब हम बतला देंगे कि तवा मांजने से साफ हो सकता है या नहीं। हम कौंसिल के Indian और European मेम्बरान से प्रार्थना करेंगे कि इनको हमारे हाथ में दे दिया जाय मुझे पूर्ण आशा और विश्वास है कि हमारी संस्थायें तीन चार वर्ष में वह काम करके दिखला देंगी जो पचासों वर्ष में Government और Salvation Army के लोग नहीं कर सके। एक समय था जब हिन्दू लोग इन जरायम पेशा के लोगों को घृणा की दृष्टि से देखते थे परन्तु अब हर एक हिन्दू, नहीं नहीं हर एक Indian इस बात को चाहता है कि सात करोड़ अछूतों को गले से लगावें और इनका उद्धार करके इनमें एन्

[Pandit Raha Bihari Tiwari.]

ऐसी शक्ति पैदा कर दें जो देश और Government दोनों के लिए सहायक और लाभकारी हो सके। मैं आशा करता हूँ कि जो प्रस्ताव ठाकुर साहब ने पेश किया है सब मेम्बरान उसका हृदय से समर्थन करेंगे और उसे सर्व सम्मति से पास करेंगे कि इन जरायम पेशा के लोगों के सुधार के काम को आर्य समाज तथा हिन्दू सभादि को सौंप दिया जावे। इनका सुधार होने पर Government की बहुत सी परेशानियाँ कम हो जावेंगी और Government का बहुत धन पुलिस आदि के कम रखने से बच जावेगा और प्रजा भी सुख और शान्ति पूर्वक रह सकेगी।

Thakur Hukum Singh :

मैं प्रस्तावक महाशय को हृदय से धन्यवाद देता हूँ कि उन्होंने इस आवश्यक बात की और Government का ध्यान आकर्षित किया है। मुझे पिछले समय में बहैसियत प्रेसिडेन्ट आर्य प्रतिनिधि सभा U. P. के गवर्नमेन्ट से कई दफा दरखास्त करने का मौका आया था और Government ने मेहरबानी करके हमको कई मामिलात में मदद दी थी। मैंने depressed class के उद्धार के लिये बहुत बड़ा काम किया है एक जाति पहाड़ी पर रहती है जो नायक कहलाती है। इसके सुधार के वास्ते मैंने बहुत कोशिश की थी उसमें भी गवर्नमेन्ट ने हमको मदद दी थी। अब जब हिन्दुस्तान की अवस्था इतनी सुधर गई है कि तमाम हिन्दू, देश के निवासी, आर्य समाजी, सनातन धर्मी हर एक जाति के सुधार के लिए उठ पड़े हैं तो मेरे ख्याल में काफी बक्त इस बात के लिए आ गया है कि Government मेहरबानी करके इन जातियों को सुधार करने वाली संस्थाओं के हाथ में दे दे ताकि वह इनका सुधार करके बेहतर असर उनमें पैदा कर सकें जो देश के वास्ते हितकर होगा। मैं आप लोगों का और Government का शुक्र गुजार हूँगा यदि Government रुपा करके इनको आर्य समाज को दे दे जो अच्छी तरह से इस बात के लिए तय्यार है मेरे ख्याल में तमाम हिन्दू सभा और आर्य समाज इसमें सहायता देने के लिए तय्यार हैं और परस्पर मिलकर इस काम में हाथ बटाने के लिए तय्यार हैं। इस लिये उम्मेद है कि तमाम हाउस मिलकर सर्व सम्मति से इस मोशन को पास करके हमें सहायता दे ताकि Government criminal tribes के लोगों को हम लोगों के हाथ में दे दे और हम लोग इनका सुधार और सेवा कर सकें।

Mr. E. Ahmad Shah : I would like to speak on this motion because reference has been made to the work which is being done by the Salvation Army. I am not going to discuss their policy, but inasmuch as they are rendering good service to that section of people of our country who have been altogether unnoticed for a very long period, I think I should speak on their behalf in this House. The demand from my side is that to another community, from the Government to the Salvation Army, is laudable and is welcomed by every section of this country. But while good work is being done by the Salvation Army, I do not think that members of another community would like that work to be discontinued; the help so rendered after all has



done good to the people who belong to the down-trodden classes. Members of other communities can work side by side with that community and try their level best to reform them and to better their position.

Reference has been made that lakhs of rupees are being given to the Salvation Army for the reformation work. But from the budget I find that only a provision of Rs. 56,942 is made. That demand is not too exacting, considering the work which has been done by the Salvation Army people. Members of other communities are welcome to demand a similar sum of money for the work which they are now ready to do, and I think everyone will support them provided the funds are available to meet that demand. A reference was made by one of the speakers that the Salvation Army people do not pay their workers sufficient money to maintain themselves. I have a personal knowledge of the work done in the Bareilly district, where the Salvation Army people have got a settlement for the well-being of this community. Of course it is very difficult to say what particular amount will suffice for a particular section of people on which they can live decently. But a majority of those people who have been working in these industrial settlements managed by the Salvation Army people are much better off now than what they were before. There may be cases of persons who are hard up. But certainly there are a large number of cases who are much better off now since they have begun to work in these settlements.

The people of the Bhandu tribe were Hindus originally. It is left to them to remain Hindus or to choose any other religion if they find that they will be able to better their condition in any manner. There is no compulsion. But perhaps the simple lives of the people working with these persons appeal to them, and if in view of that they choose to change their religion I do not see why any one should object to that, because after all the main point is to reform them, to better their position and to make them better citizens.

*At this stage the Deputy President took the Chair.*

All the possible and available means should be used whether through the Salvation Army, the Arya Samaj, the Sanatan Dharam or the Muslim organizations. We should welcome all these channels. I would like to make another observation, and that is this. Members of the different communities should not consider that if one becomes a Christian he is lost to the country or has become denationalized or has gone out of the fold of his countrymen. I stand here as a representative of that community, and I do not think any one of the members of this House will consider that I am lost either to my country or to my people. I am as much an Indian as any one of you can claim to be. The change of religion is a matter of conviction; it is a personal thing, and it should be left open to the individual to follow or embrace one religion or another without any compulsion or inducement being brought upon him.

The different members who have spoken on this point have urged the Government to help them in the cause of reformation of these tribes. I support that view, and I would also ask the Government to look into the cases of the different bodies that come forward with their suggestions. And if the Government finds that these bodies have got means, have got earnest people, have got good institutions, it should concede to their wishes, because we are after all here to look to the good of the down-trodden people.

**Thakur Bikram Singh :** I had no intention to express my views on this debate, but since my friend Mr. Bhagwati Sahai Bedar mentioned my name, I may say at once that he has my full and hearty sympathy in this direction. I believe that the remark that Mr. Bedar made was the result of the question of sending the Bhandus to the Andamans. I wish to assure the honourable members that they have my full sympathy, but since the Hon'ble the Home Member gave the assurance that the Bhandus are sent to the Andamans at their own request, I thought it was advisable for the House to accept that explanation.

I welcome the scheme of Arya Samajists or any other Samaj wholeheartedly, and I sincerely hope that such Samajes will be of immense help to the criminal tribes.

I therefore, not only as a Hindu but as an Indian, give my wholehearted support to the motion.

**Saiyid Habib-ullah :** I rise to support this motion wholeheartedly. I think it is fair that if the Hindu gentlemen—either the Arya Samajists, Sanatan Dharmists or others—want to take over charge of this criminal tribe and to reform them, every opportunity should be given and Government should give them every help and financial support. That is all I have to say. I want the Hindu gentlemen to know that the Muhammadans are with them.

**Mr. H. C. Desanges :** Something has been said about the Salvation Army, and I should like to put before the House my opinion as to the work done by the Salvation Army. I have been in touch when I was at Bareilly with the Salvation Army settlement there in connexion with the Bhandus. In the main I agree with my Hindu friends in the House that if the Arya Samaj or any other body of people want to come forward to help their own people, they ought to be allowed to do so. But I rise here to say a word in gratitude and thanks on behalf of my Indian friends and on behalf of the Bhandus for what the Salvation Army people have done. This is what I want to bring before the House that the Salvation Army people did not take over the Bhandus to Christianize them; they took over the Bhandus to humanize them. The other pertinent fact is this, that when the Bhandus were groping and going astray my friends here did not come forward, but the Salvation Army people came forward and said:—"Give us a chance to rectify and humanize these people." Where was the fault? Surely not the Government's. Therefore assistance ought to be given to those people who first came forward voluntarily in order to humanize a lost criminal tribe. The Salvation Army people, as anybody who has read about them will know, have done excellent work even in England in connexion with the submerged tenth, and in that spirit they came forward to this country. Anyone who has come across Salvation Army officers know that they are unselfish and they work on wages today which are much less than the rank and file of the British Army draw. I said the Salvation Army came forward in a spirit of humanitarianism. See what they have done; they have taught the Bhandus at Bareilly handicrafts, spinning, durrie-making, curtain-making, etc., teaching them honest ways of livelihood. The cotton goods turned out at Bareilly from the Bhandu settlement under the Salvation Army will stand comparison with Aunpore. If, therefore, the Bhandus want to go to the settlement run by the Salvation Army people, I think they ought to be allowed to do so.

**Pandit Govind Ballabh Pant :** I wanted to put a few questions, and I will stick to my original intention. But before doing so I think it is due to me to make a few remarks in order that there may not be any misapprehension. So far as the Salvation Army is concerned, I am full of admiration for their missionary zeal and devotion to their faith. If this motion had been brought before the House, I think it is not because there is any quarrel with the Salvation Army for doing what they thought they ought to do out of loyalty to their faith, but it is with a view to give expression to the dissatisfaction that the members of this House feel that with the aid of a Government grant proselytizing activities are encouraged so as to convert the members of one of the indigenous communities to some other faith. I think that is the principle involved in the motion and the situation of the Salvation Army should not be in any way confused with the substance that is under discussion. I may say at the very outset that my regard for the Salvation Army is all the greater because I notice that it is the only group who have been making an earnest and sincere effort to adjust themselves to the mode of living that prevails in this country. They put on the dhotis, slippers, have their feet naked and go about serving in the villages living just as the ordinary villager does. I wish the honourable members sitting opposite were able to adopt such a mode of life. Well, leaving that aside now, I will just put a few questions so that the Government, if they will be pleased to give replies to them, may enlighten me. Of course, it has been my misfortune that in some cases they have not cared to take notice of the questions put. Firstly, I want to know whether the Salvation Army has been issuing any report and whether the Government has been publishing any report of the activities of the Salvation Army in connexion with these settlements. I also want to know if there is any report published by the Jail department or by the Government dealing with the Kalyanpur settlement, for so far as I am aware I have not seen any such report myself, at least in recent years. The next point that I want to know is how many of the Bhandus in the settlement are Christians and how many are non-Christians. The third point that I want to know is whether the Government had to pay anything in order to enable the Salvation Army people to meet the cost of passage money of the officers whom they might have considered it necessary to import from abroad to look after the activities of the Salvation Army inside the settlement. The next point that I want to know is whether the Government is aware of the attitude of the Salvation Army people towards the inmates of these settlements so far as their religious conviction or creed is concerned. Mr. Ahmad Shah said, and very rightly, that religion is a matter of personal conviction. I would like to know whether any member of the community to which Mr. Ahmad Shah belongs or any one belonging to the jail or any other department under the Hon'ble the Home Member has cared to find out whether any person residing in the settlement has accepted the Christian faith because of his rational conviction, and if he has, I will be delighted to know that the Bhandu has developed such a keen intellectual and analytical faculty that he can distinguish between the different creeds and select the one that suits him best.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** In which settlement?

**Pandit Govind Ballabh Pant :** In the settlement which is under the Salvation Army, or even if it be outside, it would be very hopeful news and inspiring in certain respects.

[Pandit Govind Ballabh Pant.]

The other point that I want to know is, how many residents are there in these settlements which are under the Salvation Army, what allowance is given daily to every inmate, how many hours are they required to work there, what amount of liberty is given to them? I also want to know if any man who is in charge of this settlement belongs to this country or whether all those who are at the head have been imported from outside. I also want to know whether the Government is bearing the total cost of maintaining these settlements or whether they are making a contribution and the Salvation Army is also paying a part of the cost. I would further like to know how many persons residing in these settlements under the Salvation Army were convicted of offences during the period of their residence in the settlements. These are the points which would influence my own attitude towards the motion. So I wanted to have all this information; if it is not available, I can only say that it is unfortunate.

**Mr. C. Y. Chintamani :** Mr. Deputy President; allow me first cordially to acknowledge the statement which you were good enough to make from the Chair the day before yesterday. Sir, I have risen to say just a few words on this motion with a definite purpose. I happened to take part on a couple of occasions in the past in similar discussions, and what happened then is somewhat relevant to the present discussion. My honourable friend to the right has inquired whether any reports are published showing the work that the Salvation Army does in the matter of the reclamation of the criminal tribes. Ten years ago I had occasion to make a similar inquiry, and at that time either the Finance Secretary, Mr. Pim, or the Judicial Secretary, Mr. O'Donnell, informed me that no reports had until then been published, but that they would thenceforth ask the Salvation Army to submit to the Government an annual report of its activities, because the Government were giving them funds. In 1918, I believe, the first of such reports was published in the Gazette. Either the report submitted by the Salvation Army was published or a report by the particular officer of the police department who had to deal with criminal tribes based upon information supplied by the Salvation Army, I cannot at the present moment recollect in which of these two forms the report was published. I remember having read several of them from 1918 onwards and found them extremely instructive. I cannot tell whether the practice is being continued. I have inquired from some honourable friends more up-to-date than I am in these matters whether they have seen any such reports and they have answered me in the negative. If the practice was discontinued, I do not know why it was, but I think it should be revived without the least possible delay. I support the demand made in this behalf by my honourable friend to the right, as it was a demand made in the past considered by the Government to be reasonable and actually given effect to by them.

Next, the religious side of the question also interested several members of the Legislature in past years. So far as my memory goes, it was as long ago as 1911 that the matter was first brought, in the course of the budget discussion in the Legislative Council, before the Government by our late distinguished countryman Mr. Ganga Prasad Varma. In reply to him Mr. Burn said that as long as the Hindu community had no organizations competent and willing to take charge of these criminal tribes and do constructive work for their reclamation, for so long neither the Government

nor the Salvation Army could be held to blame if they took the work in hand and if the Government utilized that organization. In 1921 in the first of the reformed Councils our present Hon'ble President made a motion in the demands for grants under Jails and raised the same issue. During the discussion that that motion gave rise to I find that I, who was then sitting on the right and wrong side of the Chair instead of on the left and right side, spoke at the request of the then Home Member to explain the attitude of the Government. I defended, as I had done in previous years as an undiluted non-official, the action of the Government in utilizing the Salvation Army in the absence of organizations of the Hindu community willing to take over the criminal tribes and work for their reclamation, and I added with the full support of the present Home Member's predecessor that if any such organization was forthcoming ready to do the work, the Government would be only too glad to consider proposals of such organization and take steps accordingly. But as I described myself then in speaking partly on behalf of the Government I was not, fortunately for myself, an official in the full sense of the term, but as I described myself that I was either "an official, non-official or a non-official official." I was followed by the Hon'ble the Home Member, the Raja of Mahmudabad, and he said:—"I fully endorse what has been said by my friend Mr. Chintamani. I can assure the honourable member that the motion will receive my most careful consideration, and I fully sympathize with the religious side of the question. I will ask my honourable friend Rai Sita Ram Sahib to withdraw his demand, because by doing so he will strengthen my hands and I can assure him that I will give my best attention to his views." In consequence of this Rai Sita Ram Sahib was content to withdraw his motion.

Since 1921 six years have elapsed and the present Home Member should be able to tell us whether in the intervening period, during which there have been discussions like the present one in Council, there has been any practical consideration given to the subject by the Government in consultation with the Arya Samaj or any other organization. If it has been given, with what result? If it has not been given, has the omission been due to the absence of a representation from any Hindu organization or to any other cause? But, howsoever that might have been, we have had today several speeches and some of them from prominent members of the Arya Samaj. The Arya Samaj, we know, has done the most excellent, the most distinguished, work for the uplift of the Hindu community throughout Northern India. Opinions may differ upon the political views of some of its members, opinions may differ upon the religious tenets of the Arya Samaj, but I do not think there can legitimately be two opinions upon the exceptionally valuable social, educational and philanthropic work in which the Arya Samaj has been engaged for two generations. This being so, and in view of the earnest efforts made by members of the Arya Samaj to do the work, if they are permitted, encouraged and assisted to do it by the Government, I think it is morally incumbent upon Government, bound as it is by terse declarations of its members, to take into consideration these offers and do something practical.

In addition to the Arya Samaj there is one other organization which I wish to bring to the notice of the Hon'ble the Home Member, although I feel that he must already be aware of it, I mean the Seva Samiti; that the Seva Samiti has been doing splendid work, has received acknowledgement

[Mr. C. Y. Chintamani.]

ment in the most practical form from the Government by the annual grants which the Government have made to that institution since the year 1917-18. I am sorry not to find a renewal of the grant in this year's budget, but that is a different story. The Seva Samiti has received official approbation, as I have said, in the form which is most practical and conclusive. Of the Seva Samiti's organizing capacity nobody need say anything at this late hour in view of all that it has accomplished. I would, therefore, ask the Government to consider, in consultation with the Arya Samaj, the Seva Samiti and any other organizations available for the purpose, whether practical steps should not be taken in the year 1927-28 without any further delay in order to implement the assurances given in the past. It has been said in the course of this discussion that some words have been uttered by some speakers in the course of the discussion which might give rise to some misapprehension in the minds of members. Well, Sir, so far as the main purpose of this motion is concerned, that relating to the Salvation Army, it has been clearly indicated by my honourable friend behind as well as in subsequent speeches, and therefore I hope that the honourable members will not be under any misapprehension in giving their votes. But I have still greater hope and it is that the Hon'ble the Home Member, noble as he is and gallant too, will come forward and say that no voting is necessary, the Government will straight away proceed to consider in a practical manner the suggestions that have been placed before them, and that by this time next year we shall see the fruits thereof.

**Mr. R. J. S. Dodd :** There are a few points I should like to deal with which have been raised by various members. First of all I will deal with the question of the annual report on the working of the Salvation Army. The honourable member for Partabgarh said that when the Salvation Army started their reclamation work of the criminal tribes they were in the habit of issuing an annual report. I have no recollection of that report; but if this was so, I will see whether they are prepared to issue an annual report again. In any case we issue a separate report on the work of the criminal tribes, and I will see that this report is given to every honourable member of this House in future.

The honourable member for Bijnor raised two points. He said he had experienced difficulty in visiting settlements in his district. To this I will say that the Government would raise no objection to members visiting the settlements of the Salvation Army, and personally I do not think the Salvation Army would raise any objection to any honourable member of this House visiting these settlements.

As regards the settlement at Kalyanpur, if any member wishes to visit that, I would make arrangements for it.

He also raised the point about entrusting the children of the inmates of these settlements to persons outside who were prepared to bring them up. I understood him to say that we should not object to any kind person outside who wished to take charge of these children and were prepared to adopt them, and further that if their parents wished them to be adopted, they should be allowed to be adopted. I will say again that we would raise no objection to this, but I was not aware that there was any keenness among the general public to adopt the children of criminal tribesmen, nor that a great demand to be adopted existed. If there is,

I shall be pleased to do anything in my power to meet it. I was asked some questions by the honourable member for Naini Tal. I am afraid I have not got all the information he asks for at my fingers' ends. He asked for the hours of work . . .

**Pandit Govind Ballabh Pant:** My first question was about the numbers in the settlement.

**Mr. R. J. S. Dodd:** The actual number was given the other day. I think it is 1,300. That represents the registered male population. The actual number, including women and children, is 3,233 or something very near that. I gave the figure last year in my report—of course it varies from year to year.

I do not think the hours of work are longer than those of other labourers, and certainly there is no truth in the assertion that the people are overworked or ill-treated. I think the Salvation Army may be trusted to see to this. Further, we inspect the settlements ourselves frequently. An Indian officer of the Indian police is in charge of this work and he may be expected to look after their interests. He also asked whether there were any Indian officers in the Salvation Army. I am not quite certain, but I think there is one, if not two. There are six settlements managed by the Salvation Army and one at Kalyanpur under Government management. The last question was the number of convictions of the inmates of the settlements during the year. I am afraid I cannot give him that information now, but I am prepared to let him have that information later.

**Pandit Govind Ballabh Pant:** I had asked other questions.

**Mr. R. J. S. Dodd:** I am afraid I did not hear any more questions.

**Pandit Govind Ballabh Pant:** One of the questions I put was whether Government would tell us how many of these were Christians and how many non-Christians.

**Mr. R. J. S. Dodd:** We have no record of that, but I think there are 37 Bhandus who are Christians. I know this is no answer to the question, but to give some idea of the proportion of Christians to the total, there were 37 Christians of whom 28 were converted to Christianity in the settlement. These figures are from an inquiry made in 1925, but I cannot give the figures of the other settlements.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I have often congratulated my friend Mr. Bedar on his nice speeches, but I am unable to congratulate him today for introducing this heat into the debate. I am of opinion that in the debates in the Legislature it is much better not to play on the religious or communal susceptibilities. The matter could have been put as forcefully as it was done by my honourable friend from Partabgarh and the honourable member for Naini Tal without introducing religion. Mr. Bedar wanted to urge the Hindus to vote against the Government as a vote of censure without hearing the story that the Government had to tell. To say the least, I shall call it unkind, because my honourable friends who are Hindus here have every right to move a vote of censure on the Government, but they can move it after hearing the reply of the Government and not before. It was never my idea that I had to justify my position before this House as my relations had been such with Hindus and Muhammadans both. But I may tell the

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House here that if I am Muhammadan by religion, perhaps many are aware that I am Hindu by blood. My friends are fully aware that if Muhammadans are my religious brethren, I am related to the Hindus because I come from Hindu stock. And therefore as far as my own feelings are concerned, they are exactly the same for both communities. Now, coming to the point. I understand that wherever these Salvation Army people started their work they were helped by Government, because there was no other organization at that time to come forward and take the work in hand. Now if there is any organization which comes forward and applies to Government, Government will be only too willing to help them in the matter. Since I have taken over the portfolio of this department I do not remember to have received any application from any quarter, and on inquiry I find that nobody on this side of the House remembers any proposals received during the last three or four years. Therefore I say exactly what was said by Sir Richard Burn, that if Government prefer the Salvation Army it is not because we want to prefer them but because there is no other alternative before us. If a responsible Hindu organization, as mentioned by the honourable member for Partabgarh, comes forward and asks the Government, if it puts forward concrete proposals and asks Government to help it, Government will, I am sure, be only too willing to help them in this matter.

**Babu Nemi Saran :** I wish to ask, Sir, what is the attitude of the Government towards the suggestion that there should be a committee of non-officials who may from time to time visit the settlements and put their views before the Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am unable to give a definite reply for the obvious reason that honourable members know that the Salvation Army is a separate organization—it is not a Government organization at all. The Inspector-General of Police said just now that, as far as Government settlements are concerned, we are perfectly willing to arrange for any honourable member to go and inspect them, but as far as the Salvation Army settlements are concerned, we will have to ask them, and I cannot say nay or yea at this moment without consulting them.

**Raja Jagannath Bakhsh Singh :** What about the suggestion of the honourable mover regarding a committee or a board, Sir?

**The Deputy President :** It is left to the Government whether they wish to act on it or not, or whether they have other views on the matter.

**Babu Bhagwati Sahai Bedar :** I wish to inform the Hon'ble the Home Member through you, Sir, that I never wanted to introduce heat in the matter. What I said was this, that last time when I asked the Government whether they were willing to hand over these Bhandus or other criminal tribes on conditions similar to those on which they were handed over to the Salvation Army, and the reply given by the Hon'ble Raja of Mahmudabad was that there are other criminal tribes of equally bad nature which can be reformed. There is the question and there is the answer. When I thought that the Government was not going to yield to the request I asked this House to pass a vote of censure, and even if today the Government behaves in that stiff-necked manner I would ask the House to pass a vote of censure.



**Raja Jagannath Bakhsh Singh :** I had no intention of speaking at this late hour, but I thought that it was a capital suggestion that was made by the honourable mover when he said that either a board or a committee should be formed. Government said that they would welcome if the Arya Samaj people or the Seva Samiti people on the side of the Hindu community . . .

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Or any other such institution.

**Raja Jagannath Bakhsh Singh :** I understand—or any such institution of the Hindu community applies to take the Hindus for reformation ; that Government would be only too glad if they do so. But is it or is it not the duty of the Government to give facilities to the communities? If they do not come forward voluntarily should not Government form a board of non-official members? There are numerous boards ; there are a number of committees which one can hardly remember. Would it be too much to add one more committee for the reformation of these people ?

The second point I wish to refer to is this. Government says that they would like to have honorary visitors. I say, why not have an advisory committee in place of honorary visitors. That committee, in my opinion, would be more responsible in giving advice and opinion on different aspects of this question than merely honorary visitors. I hope this question will be considered important. Perhaps Government has overlooked the point through oversight. I hope they will consider the point and reply now.

**Rai Bahadur Thakur Hanuman Singh :** I desire to say a few words at the very outset in reply to Mr. Ahmad Shah's speech. He said that this work should not be taken away from the hands of the Salvation Army. I say it should be taken away from them because they have not carried out the trust entrusted to them loyally and faithfully. They have converted a number of Bhandus and members of other criminal tribes to Christianity. These criminal tribes were not handed over to them for proselytization. He says that a large number of them are much better off now than they were before. Certainly, I agree they are much better off. Had they been in charge of any Hindu organization they would have been equally better off. This is not my opinion only that the Salvation Army attempts to Christianize the members of the criminal tribes put under their charge, but the opinion is shared by nearly the whole Hindu community. This morning my friend Maulvi Fasih-ud-din said in his speech that a number of Bhandus were handed over to the Salvation Army and after a time many of them were converted to Christianity. There he has borne me out very well. Then my friend Pandit Govind Ballabh Pant has very ably replied to Mr. Ahmad Shah and said that all the Bhandus who have been converted to Christianity did not know what they were doing. They had no education, no intellect, no brain to distinguish between their present religion and the religion which they were going to adopt.

*At this stage the Hon'ble the President took the Chair.*

He has also said that change of religion should not be objected to. There I agree that change of religion should not be objected to if one who is to be converted knows what he is doing then it is all right. This does not apply to the case of those who do not understand

[Rai Bahadur Thakur Hanuman Singh.]

of their action. This year there is some increase in the expenditure under this head. It has not been fully explained what the reasons are for such an increase. I hope I will be enlightened later on in this respect. My intention was not to move this cut as a motion of censure. I simply wanted to bring before this House the views of the Hindu community residing in these provinces and to impress upon the Government the desirability of changing the scheme under which they are at present carrying on the reformation of the criminal tribes. I again urge on the Government that it will be very desirable and, to my mind, very successful if they constitute a board to consider the question of the reclamation of criminal tribes and work out the scheme of reformation through that committee or board. The Government will be helped a great deal by the advice of the board, and their efforts at reclamation will be attended with greater success than has been in the case of the Government action.

Lastly, I should like to observe that the Government in their reply have said that if any Hindu organization approaches them in the matter they would consider its request sympathetically. In this connexion I should like to know whether the Salvation Army applied to the Government to take over charge of the criminal tribes for reclamation, or whether the Government approached the Salvation Army on the point. If the latter is the fact, then I would request the Government to approach the Hindu organizations.

**The Hon'ble the President:** May I know what the object of the honourable mover is in moving his motion? From the speech which he delivered a short while ago, it appeared that his object was not to pass a vote of censure on the Government, but merely to draw their attention to the desirability of entrusting the work of the reclamation of criminal tribes to Hindu organizations. I inquire this of the honourable mover, because the speeches of certain other speakers suggested that they meant to pass a vote of censure on the Government.

(Voices of "No," "No.")

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I have not much to add. My honourable friend, the mover, asked whether Government approached the Salvation Army or whether the latter made a request to the Government to take up the work of reclamation. To reply to this question, to trace the history of the Salvation Army, I am afraid I shall have to go back to the period of my infancy. Personally, I am not aware whether the Salvation Army came here of their own accord or at the request of the Government.

**Mr. C. Y. Chintamani:** May I, Sir, with your permission, enlighten the Hon'ble the Home Member on the point?

**The Hon'ble the President:** The honourable member can do so, if the Hon'ble the Home Member is ready to give way.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I have no objection.

**Mr. C. Y. Chintamani:** Mr. L. M. Kaye told the House in 1921 in reply to you, Sir, that Sir John Hewett finally asked the chief officers of the Salvation Army if they would take the matter up.

**The Hon'ble Lieut Nawab Muhammad Ahmad Saïd Khan :** However it may be, we cannot be held responsible for the action of Sir John Hewett's Government in the matter. As I have already stated, the Government are quite ready to help in the work of civilizing of these criminal tribes if any Hindu organization comes forward for the purpose.

*The motion was put and adopted.*

**Lala Nemi Saran :** I beg to move a token reduction of Rs. 100 under head "Jails." Unfortunately the time at my disposal is very short and the story to be told is very long. I take this opportunity of reviewing the whole activity of this department.

I would first begin by drawing the attention of the Government to the fact that they have not yet carried out the wishes of this House in respect of the revision of the Jail Manual. I had moved a resolution in 1925 to the effect that the Jail Manual should be revised by a committee of officials and non-officials. Since then many questions have been put regarding the revision of the Manual, but each time we have been told that the revision is being made by the department and that due consideration will be paid to the opinions expressed by the honourable members of this House. The wish of the House as embodied in my resolution was that some of the non-official members of the House should be taken into confidence in connexion with the revision of the Manual, but the Government did not think it proper to do so. The efficiency of the revision of the Manual would not have suffered, but, on the other hand, it would have been only equitable and useful if some of the non-official members could be put on a committee entrusted with this work.

The second point which I wish to point out is that it was urged upon the Government to have a standing committee on the jails. There are so many standing committees and advisory boards in connexion with other departments, but in spite of the repeated demands of the House the Government have not accepted the suggestion.

I now come to the working of the department. In his budget speech the Hon'ble the Home Member said last year that he had done away with the pulling of *punkhas* by Indians and today too he hinted something to that effect, but unfortunately I could not catch him. I submit, however, that that practice is still in existence, and the alternative which the Hon'ble the Home Member suggested in his speech last year, viz., that Jost fans would be supplied to such prisoners as may be recommended by the jail authority has not been carried out. I hope the Hon'ble the Home Member will throw light on this question.

The next question is about the diet of the prisoners. About dietary I have got to make certain complaints as well as certain suggestions. The first complaint which I make is that formerly wheat dalia used to be given in the morning as the morning diet to prisoners. It has been changed. Now gram is given instead. I know, Sir, from my own personal experience as well as from the opinions of prisoners who are now undergoing imprisonment, that at least in the winter season that dalia used to be of very great help to keep them warm in the early morning, and I would ask the Government to look into the question of reviving the old practice, at least in winter months. Another thing which I have got to say about dietary is the oft-repeated question of juar. We have discussed this question many times in the Council, but the Government would not like to yield an inch. But, Sir, I would again request the Hon'ble the Home

[Lala Nemi Saran.]

Member to go into the question, as I would not like that false economy should be made at the expense of efficiency in dietary. I can say that *juar* is a staple crop which it is not taken at least in my part of the province very eagerly by the inhabitants. The third thing about dietary which I have got to tell the Government is that what they have done in order to remove that invidious distinction regarding the scale of dietary which is observed in the Jail Manual, that is, the difference between the dietary given to the Indians and the Europeans. Sir, when I moved a resolution in 1925 regarding the revision of the Jail Manual I distinctly brought this question to the notice of this House, and I had then said that I did not want that the dietary which is now being given to the Europeans or Anglo-Indians on account of their modes of living should be taken away from them or it should be reduced. But what I wanted was that certain rules should be incorporated in the Jail Manual by which Indians, who by unfortunate circumstances might be thrown in that position but who have been living in circumstances which entitle them to a better treatment, they should get a better dietary. I would like to know from the Government what changes they have made in the Jail Manual which is now under revision on that point. The fourth thing about this dietary is that as far as ordinary diet which is given to these prisoners is concerned, we are really very thankful to the Hon'ble the Home Member for the information which he has given to us, that is that he has ordered that there should be frequent changes in dal, and that they should also be given rice diet once a week. But, Sir, what I have got to suggest is this that there still remains something more to be done in the way of providing them better vegetables. That has been an old complaint of the jail administration, and I believe that very little has been done on that side and much remains to be done. Now, Sir, I come to clothing. I have got a very great complaint on this side. Clothing now given to prisoners is such that anybody who has got any idea of decency would not like to put it on and appear in the public. Sir, I would draw the attention of the Hon'ble the Home Member to this question very particularly. The jail is not meant to make the monkey of a man. Sir, if you look a man in the jail dress, you would, to say the least of him, think him for a while to be a barbarous animal. Therefore, I would suggest that in place of knickers, that is half-pants which are supplied to them, full pyjamas should be supplied to them if pyjamas are to be given, or if dhotis are to be given one dhoti should be supplied to each prisoner. The second thing about the clothing is that formerly orders were issued by the department that two shirts and knickers should be given to each prisoner, but thereafter they were amended to the effect that only one should be given. Perhaps I may be mistaken, but I think that was the intention of the Government when I raised this question during one of the budget sessions in order that they should change them in the wet weather and in the hot weather wash it very often. Another suggestion which I want to make is that I have suggested in the case of dietary, there should be a scale which may be fixed according to the status of the different requirements of a certain class of persons. There are different classes in jails. There are labourers, there are other persons who are accustomed to very good food, and when some of them through some misfortune have to go there. They should get a better treatment in regard to clothing. I do not plead

that there should be any sort of luxurious treatment for them, but I only mean that apart from this bad dietary and clothing, the great humiliation that they have to undergo by going to jail is sufficient punishment for them, and this additional punishment of giving them such clothing is not necessary.

Another thing which I have to suggest in regard to this clothing is that when the prisoners go either to civil courts or criminal courts as witnesses or as under-trials they should not be allowed to go there in the jail dress. I am not giving my own private opinion. In this I have got the support of the Jails Committee's report which sat in India and which suggested that all those persons who go outside the jail in order to give evidence or to stand their trial in courts should be provided with ordinary clothing which they used to wear and no jail dress should be allowed to go outside the jail premises. Therefore I suggest this, just in conformity with that committee's report, that this practice should also be observed in the jails.

Then I come to the question of punishment. The Hon'ble the Home Member in the last year's budget speech said that they had so modified the question of whipping that they inflicted whipping for only two offences, i.e., for inciting to mutiny or for personal violence, and that this corporal punishment is now not given on any other account. I believe these orders are being carried out in the jails, and so far we are really thankful to the Hon'ble the Home Member for the reform.

Another thing which I wish to bring to the notice of the Home Member is that there are one or two other sorts of jail punishments which are very inhuman. I would draw attention to two of them. One of them is standing handcuffed. A man is handcuffed and his handcuffs are attached to a nail in a wall about five feet high and he remains there standing continuously for five or six hours. I believe this sort of punishment is not conducive to reformation or even to deterrence. The second form of punishment is what is called the cross-bar fetters. In England no form of irons are allowed as jail punishment in any jail, but in India it is different, because the rules had been made when the Jail Manual was first made. But now when it is being revised I hope due consideration will be paid, so that these forms of punishment are taken out of it. I think I have taken sufficient time, though I have been brief and only expressed the points in a very few words.

Before I resume my seat I think I shall be failing as a fair critic if I were not to congratulate the Hon'ble the Home Member and his predecessor on what they have done to ameliorate the condition of the prisoners in jail. I have been a non-official visitor of the jail in my district, and I can say that things are much better than what they were before. But, Sir, the reforms to which I have drawn attention are very necessary reforms which should be introduced before we can say that there is anything to the credit of the Government that they have done. I hope the Hon'ble the Home Member, before he vacates his seat, will see that these reforms are carried out.

**The Hon'ble the President :** If such is brevity we will have to go on till tomorrow.

**Rai Bahadur Babu Vikramajit Singh :** I just want to say a few words on this motion. The first point I want to place before the House is that the question of giving religious instruction in jails has been before the House for the last six years. In the year 1921 you, Sir, speak

[Rai Bahadur Babu Vikramajit Singh]

the floor of this House, drew the attention of the Government pointedly to the introduction of this reform in jails. You said in 1921, on page 160 of the report:—"I happened last October, however, to visit the Central Jail of the Alwar State in the company of my esteemed friend the Judicial Minister of that State, and it was what I saw there that stimulated me to ask the question which I shall presently lay before the House. I saw there that the Muhammadan prisoners and the Hindu prisoners were collected into separate batches and they had a Muhammadan preacher and a Hindu preacher who were reciting to them stories from their religious books and who were singing with them to the accompaniment of some music." Then further on you said:—"The object of sending prisoners to jail is both punitive and reformatory. Punitive, inasmuch as the criminal has to realize that in violating the rules of society he must be shut out of society and from his family and his friends; reformatory, inasmuch as it is the duty of a civilized Government and the jail authorities to bring the offender to a right path and to reform him as far as possible. If anything is calculated to reform a man's life it is religious instruction. Spiritual as India is, and famous for spirituality as it is, I think that this system must be introduced at an early date. I know that the Hon'ble the Home Member has a deep-rooted religious sentiment; may I urge upon him the necessity of initiating this system at an early date, so that he may perchance succeed in kindling a spark here and there and be blessed for ever."

The Hon'ble the Home Member gave a satisfactory reply and promised that he would do something in this matter and next year we find that you, Sir, brought up the same question and said in the year 1922 in the budget debate:—"The Home Member was pleased to promise to make an inquiry into that matter and I find that in the Government resolution dated May 27, 1921, issued in connexion with the Jails report, the Government said that a proposal is under consideration of the Government for the appointment of maulvis and pandits to deliver lectures on Sundays and festivals to prisoners in jails."

**The Hon'ble the President:** No lengthy quotations from the speeches of Rai Sita Ram are in order.

**Rai Bahadur Babu Vikramajit Singh:** I thought it better not to waste the time of the Council, but to place before the House some very weighty pronouncements, so that the Hon'ble the Home Member may see whether the Government during the last six years has been able to make any advance. The only advance that I find to have been made is that we were told that if religious bodies want to send their own preachers, it will be given. In Cawnpore I arranged on behalf of the Dharma to send a preacher. The authorities took several months before the man was suitable, whether he had a good character, or not, was that the man had to be paid several months' salary before his suitability was determined by the Government. The real work was done in the matter. I think it is high time not to depend on religious institutions, but to send preachers themselves to give religious instruction, and to treat it as an important matter and the bounden duty of the Government.

There is another point on which the honourable mover has made some observations, and I just want to say a few words to supplement his speech. In the dietary about the European and Eurasian prisoners it is laid down in the Jail Manual that they will get rice, dal, lime juice, bread, butter, meat, potatoes, onions and other vegetables, spices and salt, milk and sugar. There is nothing exclusively English about it. This is generally the dietary of the Indians. These are the things which are consumed by Indians also, but the Indian dietary is whee, flour, dal, vegetable, chilly, salt and a very important article, coal. Two or three chittaks of coal is put down as an article of food along with the list mentioned. I really could not follow as to how coal is considered to be one of the very important things for an Indian diet, but I see from the Jail Manual that this is so and it is given on page 263 of the Jail Manual now in my hand, which says that the seventh article of food is coal two or three chittaks. It is probably considered by the authorities to be a very nutritive food and therefore it is recommended for Indians. I would ask the Government to improve the dietary of the Indians, and if they were to add milk and sugar to the Indian dietary instead of coal it will not be harmful to them.

There is another point with regard to clothing and food of unconvicted prisoners that I wish to place before the House. The Jail Manual says that they will be entitled to have their own clothing and to have their own food, but I find that in certain places difficulties there are about their having sufficient food when they are only under-trial prisoners, for giving effect to this clause also depends on the whims and fancies of jailers. If the jailer is a nice gentleman he will allow him to have as much food as he likes from his home. But if he does not so like, then he can very easily deprive the man of the food which he is entitled to get under the rules of the Jail Manual from his own house. But where the Government has to pay either for an under-trial prisoner or for a man who has been sent under a civil court order, the amount put down is only two annas a day. I think this is too small a sum for any person to cover the cost of his food.

Then a point that has been brought many a time before the House is in connexion with hard labour. We find that in the Jail Manual three classes of labour are put down, namely, hard labour, medium labour and light labour, for persons sentenced to rigorous imprisonment. Hard labour is of 32 kinds; special reference may, however, be made to labour with regard to masonry work, road-making, working on oil mills, working on flour mills and working on lime mills, and so forth. Now I think it is the duty of the Government to see when a man is put in jail that he goes out of it a better man and he should be taught such a profession that he may be able to earn his livelihood outside the jail. This hard labour on the oil mills, the flour mills and stone-cutting, etc., if taken from a prisoner is not in his interest at all. Labour on road-making and such like works may be taken from individuals who come from the labouring classes or whose sole work is of a similar type, but to put it down for those who on account of a combination of adverse circumstances have gone into jail and have never done that work before is, I think, not human. It is hardly a civilized form of labour which need be insisted upon. I put certain questions to the Hon'ble the Home Member only a few days ago, and in answer to those questions, namely, whether the labour on oil and flour mills cannot be discontinued by the Government, he showed his disinclination, and his arguments showed that this labour was insisted on, as it was in the interests of the Government because oil and flour were necessary articles of use in the jails.

[Rai Bahadur Babu Vikramajit Singh.]

it could not be on the basis of economy at all, inasmuch as fifteen seers of wheat which a man grinds on a flour mill could not bring more than two annas a day. There are certain other forms of labour which could be very conveniently resorted to, which would be more lucrative and which would give the prisoners a training in a profession, so that when they go out they may be much better off and need not resort to crime. There are other kinds of labour, medium and light, which would be found to be more suitable inasmuch as they have reference to certain vocations which a man could carry on after his release from jail. The answer to that does not lie in what the Hon'ble the Home Member said with reference to economy, but I think a much truer answer is given in the Jail Manual as to why this class of labour has been enacted. In paragraph 978 of the Jail Manual it is said:—"Labour in a jail should be considered primarily as a means of punishment and not of employment only; neither should the question of its being highly remunerative have much weight, the object of paramount importance being that prison work should be irksome and laborious and a cause of dread to evil-doers."

I submit that this is never the object in any civilized country. In the case of a European or a Eurasian prisoner this thing will never be insisted upon. Therefore it is high time now that Government should change these rules which are out of date and antiquated and should move with the times. Loss of his office, the disgrace which he gets in society, his detention in jail, his loss of liberty, I submit, are quite sufficient deterrents to a prisoner, and then he has got to do a certain amount of work. It is not necessary to add to his misery and trouble; his life should not be made so intolerable and burdensome.

I feel that the time at our disposal is very short and therefore I would not go into various other matters into which I had a mind to go. There is one other question only which I may bring to the notice of the House, namely, the cells of the condemned prisoners. A condemned prisoner is required to answer the call of nature and to have his food also in one and the same room known as the condemned prisoners' cell. This is very repulsive and very repugnant. Government ought to be able to make arrangements in a separate room for such necessities. There have been cases in which a very rich man drawn from high society, a rich zamindar or a rich merchant has been prosecuted on a charge of murder; he was convicted by the sessions judge, but acquitted by the High Court. He has to remain in those cells for three or four months. You can very well understand how that man who was prosecuted on a false charge and was eventually acquitted would feel his lot in that cell during those three or four months before his fate is decided. I think some improvement is necessary in this matter.

There are a number of things to which it is necessary that the Government should pay attention in order to improve the jails and the condition of the jail population. It appears that sufficient consideration has not been given so far to the jail population, and we shall be very glad indeed if the Hon'ble the Home Member will take these facts into consideration and try to improve the conditions of the jails and their population.

**Saiyid Habib-ullah:** I will take only a very few minutes of the time of the House. I am happy that I am in full accord with my learned friend



Rai Bahadur Vikramajit Singh. There is one point that I want to bring to the notice of the House and that is the difference in the diet which is given to the Indians and to the Europeans. My connexion with the jails ceased after my release from Government service, so I really do not know what the present condition of the prisoners is, but when I used to visit the jails not as an Indian but in my official capacity, I used to see the vast difference between the treatment accorded to these two different classes of prisoners. In my time there was no difference in the diet given to Indian prisoners of various positions, i.e., whether he was a taluqdar or whether he was a big zamindar or whether he was a Pasi, the diet used to be the same. I do not see any reason why milk, sugar and all sorts of luxuries should be supplied to European or Eurasian prisoners and why the Indian prisoners should not be supplied with the same things. If a European or Eurasian is sent to jail, is he there as a pampered favourite of the Government? What I say is that he should be made to feel his position there and should be made to suffer for the offence which he has committed. My learned friend will probably have recollection of a case where a European embezzled about two lakhs of rupees of the B. I. C., of which my learned friend is a director. He was sent to jail for eighteen months, and I am sure he was very happy there because he had all this money with him and he used to get such nice things and luxuries as he never had at his own house. After eighteen months he came away, and if I am not mistaken he is enjoying a very happy life in Bombay.

My submission is that there should be no distinction. Either give them (Europeans and Eurasians) the same diet which is put down in the Jail Manual for an Indian or give sugar and milk to the Indian prisoners also.

There is one other point and that is about religious training. I am very glad that my honourable friend has brought that to the notice of the House. Relying upon the ruling, by which even now we are bound, which was given by the Hon'ble the President when he was a member of the House, it is absolutely necessary that this sort of training should be given. My honourable friend Khan Bahadur Hafiz Hidayat Husain has been trying his very best in this direction and I think he has to a certain extent succeeded, although the Sanatan Dharmists have not. There was some sort of a maulvi who used to visit the Cawnpore jail on Fridays to conduct the prayers, and used to preach *waz* to Muslim prisoners. So I submit that it should be made compulsory, and if the Government cannot afford to incur some expenditure, then religious institutions, whether of the Hindus or of the Muhammadans, should supply preachers who should be allowed to go to the jails from time to time to impart religious teaching.

These are the two points that I have to urge before the House.

**Pandit Brijnandan Prasad Misra:** The first complaint that I would have made to the Hon'ble the Home Member would have been as regards the invidious distinction that he allows to prevail in the jails, but I have to keep quiet on that point because I see that he himself is a victim of the same trouble. If we find invidious distinction in the jails, we find a similar distinction being practised in the case of the gentleman in charge of the Jail department, I mean the Hon'ble the Home Member himself, for it was just yesterday that we saw his colleague, the Hon'ble the Finance Member, being assisted by the Chief Engineer who got in and for whom a place had to be made by the Director of Agriculture. I had hoped that a similar facility would be provided

[Pandit Birjuandan Prasad Misra.]

Hon'ble the Home Member and the Inspector-General of Prisons would be sworn in today, but he has not got any assistance of that kind, notwithstanding his useful services. My complaint, therefore, loses much of its force and there is one other consideration also which compels me to keep quiet in regard to that, for if we have been tolerating a special treatment to the Europeans, they do deserve certain concessions of hospitality at our hands, and I would only say that it would have been better if the Home Member had seen his way to accommodate the European prisoners also in the same jails in which the Indians are accommodated, for if this is not done much of the useful service to which these European prisoners would have been put would be lost and the poor Indian prisoners would not be gaining lessons in self-government and will not get an opportunity of improving their morals and of becoming civilized and refined.

I have to make a complaint in regard to the solitary cells or the condemned cells about which the previous speaker has already spoken. These cells are the object of very great trouble particularly in the summer season and they are something which must necessarily be disagreeable to Indian tastes and methods of living. Whether a Hindu or a Muhammadan, no Indian can tolerate to take food in the same room where there is a latrine or where a commode is kept, but unluckily in these cells the poor prisoners have to do all these things necessarily and they are not allowed to go out.

Another complaint that I have to make in regard to jails is that the shaving implements in the jails are generally blunt, and if my information is right I have been told that whenever new razors or other implements are provided they are immediately caught up and taken away for the use of the inferior jail officers and the poor prisoners are not allowed the use of these things.

One point that has already been dealt with by some of the honourable members is in regard to the non-official visitors of the jails. I had touched upon this subject last year too, and in reply to my complaint in that respect the Hon'ble the Home Member had assured me that there was nothing in the rules to prevent non-official visitors from visiting the jails according to their desire and wish at any time, and that the time that was fixed by the district magistrate was only to put up these non-official visitors on a roster. I know that rule, but, notwithstanding the existence of that rule, I have to ask the Hon'ble the Home Member why the district magistrates in their letters presume to possess the power of putting down certain months. The non-official members of this Council may no doubt be able to find out, after having that information from the Hon'ble the Home Member, that they are entitled to visit the jail at any time they like, but other non-official visitors of the district who are not members of the Council cannot know that, and if that thing remains on paper, that the writing of the district magistrates of their districts, they will not be able to know that they have got a right to inspect the jails like and thus they would be deterred from performing their duty. They could otherwise have done if that deterring force were there.

to observe today is that in the present budget for the purchase of religious books for jails. It should be appointed by Government owing to their being many difference in religions, it is

necessary that religious books must be provided there of which use may be made by educated prisoners.

Another thing about which I have to ask the Hon'ble the Home Member is in regard to recruitment of jailers, about which reference was made in last year's budget, and in reply to which the Inspector-General of Prisons assured the Council that in future recruitment would be made from intermediate passed and from graduates and that a selection board would be formed. What steps has the Hon'ble the Home Member taken in regard to this?

Complaints as regards the small number of clothes, particularly in summer, is another point. It is necessary that prisoners should be given two sets of clothes so that they can wash one set while the other is in use.

I have also to ask about latrine and bathing parades, about which reference was made by the member for Shahjahanpur last year, and which, though challenged by the Inspector-General of Prisons, was confirmed by several members. I want to ask if these parades still continue. I have also to inquire if *punkhas* have been introduced for Europeans or have the Indian *chelas* still to fan their European *gurus*?

These are some of the points I have to inquire about, and I think I should not have mentioned about the invidious distinction that is practised for the Home Member himself, because he has got the resourceful forces of the Education Secretary behind him, although even without that he could successfully fight single-handed.

*The Hon'ble the President then adjourned the Council to the following day.*

## APPENDIX A.

(See page 712 *supra*.)*Statement.*

- (i) For professional graziers from outside the district—

				Rs.
Buffalo	..	..	..	2 per annum.
Cow	..	..	..	1     "

- (ii) For villagers of the district who graze cattle under the grazing rules sanctioned by Government—

				Rs. a. p.
Buffalo	..	..	..	0 12 0
Cow	..	..	..	0 6 0

- (iii) For villagers who have concessions under Government notification, half the rates under (ii).

- (iv) For villagers of the district who graze cattle in excess of the number allowed under (ii)—

				Rs. a. p.
Buffalo	..	..	..	1 8 0
Cow	..	..	..	0 12 0

## APPENDIX B.

(See page 713 *supra*.)

*Copy of the report referred to in answer to starred question No. 40 for March 24, 1927, asked by THAKUR HAR PRASAD SINGH.*

**REPORT.***(By Commissioner, Jhansi division.)*

I WAS directed in G. O. No. 1399 of March 12 to make an inquiry into the allegations made by Pandit Govind Ballabh Pant, M.L.C., regarding alleged interference by Government servants in district board elections, conveyed in his Council speech of January 22. The Government order specified the districts of Jhansi and Hamirpur. But in a later G. O. No. 526-C.N./IX—35 of July 21, the district of Banda was also mentioned, so I thought it best to consider also any allegations concerning that district.

I first applied to Pandit Govind Ballabh Pant, asking him if he were prepared to give evidence about his allegations, and if he were not, kindly to refer me to any one who would. He replied that he had no direct or personal knowledge of the alleged facts. He referred me to Thakur Har Prasad Singh, M.L.C., and Pandit Bhagwat Narayan Bhargava, M.L.C. I applied to these gentlemen. They supplied me eventually with a list of witnesses, and the Pandit said they would require travelling expenses. I asked the Government to sanction this, and on July 5 I received it. I therefore fixed July 29 for the Jhansi witnesses and July 30 for the Hamirpur and Banda witnesses.

I heard the witnesses supporting the allegations on those dates, summoning them all, and heard also such extra witnesses as the conductors chose to bring. I had been asked by Pandit Bhagwat Narayan Bhargava to keep the inquiry as private as possible, in fact to have it in my private house. I held it, therefore, for his satisfaction in my private retiring room. After general questions by myself, he further examined the witnesses himself.

It was necessary to have in the case of Jhansi some one to represent the side of the district board chairman, whose election was impugned. I therefore admitted the chairman, and as he was entirely new to public business and unfamiliar with courts and inquiries, I allowed him to be assisted by the district board's legal member, more especially as Pandit Bhagwat Narayan Bhargava on the other side is a practised lawyer. The presence of this last gentleman was objected to by Pandit Bhagwat Narayan Bhargava, but with as much validity, I should say, as a duellist might argue that his own pistol must be loaded, but not his opponent's. After the attacking side had completed their questions, a few more questions were put in cross-examination by the defending side.

One prominent witness of Jhansi was not able to attend on July 29, so by request I summoned him for August 14, on which date he appeared. On the same day I examined such witnesses for the defence as were summoned or brought. All witnesses on both sides who asked for expenses were given them, and the total sum expended was Rs. 327-1.

I shall now proceed to discuss the evidence seriatim, taking Jhansi first :—

### *Jhansi.*

The allegations here amount to this, in general, that official pressure was brought to induce voters to vote for certain members, etc., for the Raja of Katera as chairman. He was in fact elected chairman. In particular the evidence is as follows :—

A.—A number of witnesses allege that, in the course of canvassing, several voters said to the witnesses they themselves must vote in a particular way, because they were “majbur,” or because “dabao” was put on them. Generally speaking, the allegation is in those vague terms, and it may be said at once that in all instances the evidence merely amounts to this, that “A said to me he was majbur.” That is to say, the evidence is all second-hand, of the poorest sort. We have not one instance of any person who could say “I was majbur,” or even who could say “I said to X that I was majbur.” A large number of witnesses who were said (for the attacking side) to have made one of these two allegations were examined by me, and every single one of them was asked the two questions “Did you ever say to any one you had pressure put on you?” and “Did you ever have any pressure put on you?” The answer to both were invariably in the negative.

This evidence, therefore, is of no value. One would not hang a dog on it. In a court of law it would hardly be held admissible as evidence of the substance of the allegation itself. One Sukh Lal, a cloth merchant, says that one Chandar Bhan told him he had been instructed by the sub-divisional officer of Lalitpur not to vote for Sukh Lal. Chandar Bhan was unable to attend owing to floods, but the sub-divisional officer, Mr. Browne, assures me, and is prepared to swear on oath, that he had no interest whatsoever in the district board election of members or of the chairman. I believe him. Again, it is said by some that others told them the tahsildar was working against the latter. There is no actual witness to such work, nor any actual instance of it, and as before the evidence is of the poorest second-hand sort. One Mul Chand, a well-known person, who endeavours to combine what is commonly called loyalty with voting against an address by the board to His Excellency the Governor, alleges that because he wished to stand as member the tahsildar brought a c

against him, but withdrew it on his standing down. I examined the record. The allegation is false. Mul Chand has been prosecuted more than once for sanitary offences, and his case was instituted in the usual way by the bakhshi. The tahsildar tried it and acquitted Mul Chand, there being evidently some doubt whether refuse was stored on his land or on the land of others. To suppose such action is prompted by revenge is to ask too much of one's credulity.

I say without hesitation that I do not consider there is a grain's weight of evidence against any official.

Any one who has had anything to do with elections must know very well that canvassing is very fierce. Voters are pestered in season and out of season. Many do not care to refuse a suppliant outright, and many do not even care to reveal to third persons their proposed line of action. Many do not decide their course of action till the last moment, when they act under the last dominating motive. Of such persons all have to give excuses of some sort. The easiest of all is to say "I am under an obligation or an influence," and many, as experience will remind any one, actually give promises with small intention of regarding them as binding, so that when they fail to keep the promise, they are put to it afterwards to excuse themselves, and as often as not, the above excuse is the handiest. I have no doubt many of the above illustrations fit the facts in Jhansi, and I say definitely there is no reason to attribute any undue influence or pressure to any official.

B.—The second particular charge verges closely on the ridiculous. It is said that quite a number of members were confined for about 48 hours by the Raja of Katera in a house, and kept there without being allowed to go out or see anybody. That they were then herded in a lorry to the board's meeting, where they voted under the aforesaid pressure.

Now there is no doubt six or seven members did lodge in a house for a day or so before the meeting. It is not denied. The house is in the centre of the Bara Bazar. It is the house of Babu Jagdish Sahai, who was at the time municipal secretary, and it was evidently the hub or centre of most public business at the time. To say that six or seven grown men could be confined there for two days is too much of a strain on one's belief. Moreover, it is clear from the evidence even of several witnesses for the attacking party, that the said members had perfect freedom. Many visitors came, talked to the members, who came out, went to the bazar, saw their friends, etc. Moreover, all sorts of ordinary persons, by their own showing, made their way inside the house.

The Raja had a perfect right to accommodate his friends, and his friends have a perfect right to protect themselves against the hordes of people coming to pester them for their votes at the last moment. It is abundantly obvious that members did refuse to see persons whom they had no desire to see, and equally obvious that they saw any friend whom they wanted to see. That any restriction was put on them is unbelievable and approved. All the evidence on this point is of the same second-hand nature, and when the members themselves were questioned they negatived flatly the idea of restriction.

There being no restriction, it follows that no officials had any thing to do with restriction. An example may be given of the sort

in the restriction, and also the tahsildar. Witnesses who offered this notion mostly did not know the deputy collector, or even his name. As a matter of fact he was not there at all. The deputy collector who did go there, and was there for a few minutes only, was the Land Acquisition Officer, who went with the tahsildar to talk to Babu Jagdish Sahai about certain land acquisition on behalf of the municipal board, and they were there a few minutes only. The house, as I say, was at this time a sort of village chaupal round which much public business revolved. The whole accusation is pure make-believe.

It is true the members were taken in a lorry to the election of the chairman. This is perfectly legitimate. One or two witnesses said the lorry was accompanied by police, but this, I say plainly, is false, as was ascertained from witnesses of both sides. There was no compulsion of any sort, though as before I have no doubt the members sought to avoid unpleasant encounters at the last moment and postponed their arrival for that reason to the last moment.

C.—A great point is made of the fact that the election was taken, not by secret ballot, but by show of hands. The insinuation is that the members of the board were so timid that they would vote one way under one method, and the other way under the other. This insinuation is flatly denied by the members themselves who are said by others to have afterwards given this excuse for their vote, and it occurs to me as a rather undignified charge to levy against the men who represent our district board. Moreover, the members themselves deny having afterwards excused themselves by any such pretext.

So again I regard this charge as a fairy tale. The chairman of such a meeting has the right to prescribe how votes shall be taken, and I have before me positively no reason to suppose any of these grown men voted otherwise than as they wanted to vote.

D.—It is said that Rai Sahib Pandit Nanhu Prasad, who is vice-chairman, attended a village meeting at Chirgaon before the election, and produced a letter, which he said was from the Collector, and went on to say that this letter precluded him and others from supporting a certain candidate.

No one has ever seen or read this letter. The Rai Sahib flatly denies he ever received such a letter, and even that he ever went to Chirgaon on such a mission. On the evidence the charge must clearly be rejected. Supposing even we were to disbelieve the Rai Sahib, and say he did produce an envelope and make such an allegation, many would say at once, it is a palpable electioneering trick, one of the many easy devices for excusing a withdrawal from a promise. But I see no reason to entertain this supposition; I see the charge is unproved.

I have now to answer certain Council questions, as directed in G. O. No. 1399 of March 12. I give them in order:—

Question No. 41/117 for February 24, 1926.

Answer.

Will the Government be pleased to state if the tahsildar of Jhansi launched a prosecution under the Town Area Act against Seth Mul Chand of Barwasagar?

The bakhshi of Barwasagar instituted a case of irregular storage of refuse against Seth Mul Chand. The tahsildar tried the case and acquitted Seth Mul Chand. The insinuation that this case has not

Question No. 50/126 for February 24.

Answer.

Is it a fact that his son was sitting near the ballot box and was instructing the voters to vote for Seth Deokinandan ?

It is not a fact.

Question No. 76/152 for February 24.

Is it a fact that the tahsildar and the circle inspector of police of Jhansi threatened the members if they did not vote for the Raja Sahib ?

It is not a fact.

Question No. 91/167 for February 24.

Is it a fact that members one after the other were dragged into the meeting room while their hands were caught by the men arranged on both sides ?

It is not a fact.

My conclusion, which is perfectly clear and definite to my own mind, is that there is absolutely no reason to attribute interference with the election, or undue influence to any official. It has to be borne in mind, and again I appeal to the experience of all, that scores of people approach officials and endeavour to ascertain their views. It is often impossible in the face of persistent importunity to avoid saying anything whatever that can give a clue to the official's opinion of various candidates, supposing him to have any. It is indeed seldom that such visitors will go away without hearing some polite phrase that can be twisted to mean anything. And nowadays, when elections occupy the minds of so many for so many months, the opportunities for voters to go about saying "I know what such and such an official thinks" are legion. I suppose nobody pays great attention to such remarks unless it suits them to do so, and we really cannot attach here much importance to them. Two letters marked exhibits A and B, written by the Raja, are produced, in which he says he knows the Collector's mind, and also that at such and such a move the Collector is much displeased. As I say such statements are commonplace electioneering tricks, and cannot be held up against an official. A Raja may think he knows the Collector's mind, but on the other hand he may not. The Collector may be displeased, or the Raja may think and say he is displeased, at the issue of a certain manifesto. But we cannot say this is an offence committed by the Collector. If he sees a certain manifesto, it must make probably some impression on his mind ; but to say this is influencing improperly an election is really too big a presumption.

The charges against Jhansi officials may safely be dismissed as unsubstantiated by evidence and in great part ridiculous.

#### *Hamirpur.*

Charge made by Pandit Govind Ballabh Pant is that the district board's election of the chairman,

stand why this charge is made.

the Collector did attend. His reason is this. If the board had been broken up by disorder, this might occur again. Five times he asked



the Collector to attend for the purpose of ensuring peace. At last the Collector assented.

The Collector was present and addressed the board on the duties of the new board, urging it to maintain a high standard of work. He said the old board has done well, and he hoped the new board would do equally well. He said nothing whatever about the election, and this is frankly admitted by the other side.

When the provisional chairman was elected the Collector tried to go, but was again asked to stay. He stayed, but took no further part.

The board's chairman was then elected, and the successful candidate was the candidate of that party which is now complaining against the Collector. It is freely admitted by Thakur Har Prasad Singh that the Collector's presence had no influence whatever on the election. He explains that he merely wishes to suggest that the presence of Collectors at such meetings is undesirable. I agree it is undesirable, though he has a perfect right under the law to be there, and the mere fact that it is undesirable throws to my mind a sad light on public affairs, as at present conducted. I mean to say that objection should be taken to the mere presence of the chief magistrate of a district at an election which concerns nearly all the material needs of the whole district, even when the officer affects the election not at all, is not a very good sign of soundness in the body politic. One might almost as reasonably object to the presence of the mayor of a borough at an election for Parliament.

The charge works out to nothing but this, that it is better for a Collector to keep away from such meetings, even if he thinks there will be a free fight.

#### *Banda.*

The charge made for Banda in Pandit Govind Ballabh Pant's speech is that Thakur Jugal Kishor Singh was asked by Babu Janki Nath Sahai, Deputy Magistrate, to explain why he should not be prosecuted for not appearing in court, when in fact he had gone to the election.

The fact is as stated. There was a criminal case in which Thakur Jugal Kishor Singh was a witness. The side for which he was testifying asked for their witnesses to be taken in a certain order, and so it happened that through a number of postponements Thakur Jugal Kishor Singh was kept hanging about. Eventually Babu Janki Nath Sahai fixed the case for a Sunday, the election day, and told Thakur Jugal Kishor Singh to be present at 10, which he was. But as he was not called, he left the court between 11 and 12, because it really was imperative for him to be at the election some time before it began at 1.30.

He was called on to explain his absence from court, and went to the Collector, who said the magistrate was a reasonable person and would accept his explanation if he gave it. He gave it, and it was accepted.

It may be that Babu Janki Nath Sahai's action was strictly within the law. In fact it was. But, on the other hand, it is difficult not to class it as unreasonable. It cannot have been really necessary to fix a Sunday, and more especially the Sunday of the election in which Thakur Jugal Kishor Singh was especially interested—he was in fact elected provisional chairman of the meeting—nor was it advisable to detain him to a time so closely approximating the election time. That Thakur

Jugal Kishor Singh left the court I regard as no more than any man of spirit would do.

I must in fact class the act of the magistrate throughout, and more especially in taking legal proceedings against Thakur Jugal Kishor Singh, as quite tactless and unreasonable. I think he should be told so.

A further charge was made against the same magistrate. I shall discuss it shortly, partly because there is nothing in it, and secondly, because it did not appear in the Pandit's Council speech. The fact is there was a very large crowd at the election, and some people feared a disturbance. They sent a motor to fetch Babu Janki Nath Sahai to the meeting. He arrived and found a crowd there, of which he evidently thought he did not like the look. He ordered the police inspector with him to clear the room of all strangers and take the names of some bad characters whom he thought he saw. This was done and the election proceeded.

I must emphasize that the election was over when he got there, and nothing remained to be done but record the votes already given. It is true they were counted again after he arrived, but the result was the same.

It follows, and in fact it is admitted, that his presence had no effect whatever on the election. It is clear he thought he was merely doing good work in clearing the hall, and that, so far as the election was concerned, he might just as well have not been there. The candidate of the party now attacking him was as a matter of fact elected.

Thakur Har Prasad Singh admitting all this, says the gravamen of the charge is that Babu Janki Nath Sahai had no business to take charge of the meeting and give orders as to its conduct; that was the chairman's work.

There is truth in this. It may well be doubted if it was necessary to clear the hall, the business being practically finished. But we cannot very well question the officer's *bona fides*. He was summoned with a message that disorder threatened, and all he did was to arrive—much put out at being disturbed in his work—and make arrangements to prevent disorder. He may have done too much: I think he probably did. As I said above, he is clearly tactless and unreasonable and hasty. I neither commend nor condemn his act, beyond saying that I believe he did what he thought to be right and necessary, if somewhat hastily. That his action had any effect on the election is not at all contended, nor did he do anything at the meeting having any such tendency.

S. G. DEC. IRELAND,

Commissioner.

# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Friday, March 25, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(93)

<p>The Hon'ble Sir Sam O'Donnel. The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan. The Hon'ble Rai Rajeshwar Bali. The Hon'ble T. akur Rajendra Singh. The Hon'ble Nawab Muhammad Yusuf. Mr. G. B. Lambert. Mr. E. A. H. Blunt. Kunwar Jagdish Prasad. Sir Ivo Elliott. Mr. P. H. Tillard. Mr. H. A. Lane. Mr. R. L. Yorke. Mr. A. W. Pim. Mr. A. W. McNair. Khan Bahadur Chaudhri Wajid Hussain. Mr. E. L. Norton. Mr. F. F. R. Channer. Mr. R. J. S. Dodd. Lieut.-Col. R. F. Baird. Mr. A. H. Mackenzie. Mr. B. D'O. Darley. Mirza Muhammad Sajjad Ali Khan. Khan Bahadur Mr. Masud-ul-Hasan. Mr. H. C. Desanges. Mr. E. Ahmad Shah. Babu Ram Charana. Mr. A. P. Dube. Pandit Bahas Bihari Tiwari. Babu Sampurnanand. Rai Bahadur Lala Shyam Sundar Lal. Babu Bhagwati Sahai Bedar. Thakur Manjir Singh Rathor. Chaudhri Vijai Pal Singh. Chaudhri Daramvir Singh. Pandit Nanak Chand. Thakur Bakram Singh. Thakur Hukum Singh. Raja Kushal Pal Singh. Rao Krishna Pal Singh. Lala Nemi Saran. Chaudhri Badan Singh. Rao Sahib Kunwar Sardar Singh. Thakur Sadho Singh. Pandit Brijnandan Prasad Misra. Pandit Bhagwat Narayan Bhargava. Babu Kishori Prasad. Lieut. Raja Durga Narayan Singh.</p>	<p>Pandit Deota Prasad. Babu Shyam Lal. Babu Kavendra Narayan Singh. Pandit Shri Sadayatan Pande. Thakur Shiva Shankar Singh. Rai Bahadur Thakur Hanuman Singh. Rai Bahadur Babu Abhinandan Prasad. Raja Indrajit Pratap Bahadur Sahi. Bhaya Hanumat Prasad Singh. Pandit Govind Ballabh Pant. Pandit Badri Dutt Pande. Mr. Mukandi Lal. Sardar Nihal Singh. Rai Bahadur Chaudhri Jagannath Prasad. Rai Bahadur Babu Mohan Lal. Kunwar Surendra Pratap Sahi. Mr. C. Y. Chintamani. Mr. Zahur Ahmad. Haji Abdul Qayum. Maulvi Zohur-ud-din. Sayyid Tufail Ahmad. Khan Bahadur Shaikh Zia-ul-Haq. Lieut. Nawab Jamshed Ali Khan. Hafiz Muhammad Ibrahim. Lieut. Khan Bahadur Nawabzada Abdus Sami Khan. Maulvi Muhammad Obaid-ur-Rahman Khan. Shaikh Abdullah. Khan Bahadur Hafiz Hidayat Hussain. Maulvi Sayyid Habib-ullah. Shaikh Ghulam Hussain. Dr. Shafat Ahmad Khan. Khan Bahadur Sayyid Jafar Hussain. Khan Bahadur Hakim Mahbub Ali Khan. Khan Bahadur Maulvi Fasih-ud-din. Shaikh Muhammad Habib-ullah. Raja Sayyid Ahmad Ali Khan Alvi. Chaudhri Nizam-ullah. Rai Bahadur Munshi Ambe Prasad. Rai Bahadur Lala Mathura Prasad Mehrotra. Raja Shambhu Dayal. Kunwar Bisheshwar Dayal Seth. Raja Jagannath Baksh Singh. Mr. E. M. Souter. Mr. J. P. Srivastava. Rai Bahadur Babu Vikramajit Singh. Pandit Iqbal Narayan Gurtu.</p>
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## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## LOCAL SELF-GOVERNMENT ADVISORY COMMITTEE.

\*1. **Rai Sahib Lala Jagdish Prasad**: Will the Hon'ble Minister for Local Self-Government be pleased to state—

- (a) if the committee appointed for the purpose of advising the Hon'ble Minister on matters connected with the Municipal and Local Self-Government departments is still in existence;
- (b) on what date the committee came into being;
- (c) how many meetings of the committee have been held up to this time;
- (d) when was the last meeting held;
- (e) what was the nature of business discussed by the committee?

**The Hon'ble Nawab Muhammad Yusuf**: (a) The committee is re-constituted every third year after the Legislative Council has been formed. It has not yet been constituted this year.

(b) February, 1923.

(c) Four.

(d) January 31, 1925.

(e) The proceedings are confidential.

**Pandit Bhagwat Narayan Bhargava**: Were the proceedings of the last meeting only or all the proceedings of the committee confidential?

**The Hon'ble Nawab Muhammad Yusuf**: I suppose so.

**Pandit Bhagwat Narayan Bhargava**: Was it this Government or the Government of India that decided that they should be confidential?

**The Hon'ble Nawab Muhammad Yusuf**: It is desirable that the proceedings should not be published.

**Mr. C. Y. Chintamani**: Is it the intention of the Hon'ble Minister to reconstitute the committee?

**The Hon'ble Nawab Muhammad Yusuf**: Yes.

**Mr. C. Y. Chintamani**: Will the Hon'ble Minister state what business is to be put before it?

**The Hon'ble Nawab Muhammad Yusuf**: Questions relating to public health, and rules and regulations, and things like that.

**Mr. C. Y. Chintamani**: Have matters relating to public health been taken out of the purview of the Board of Public Health?

**The Hon'ble Nawab Muhammad Yusuf**: When there is any contention about a matter this board considers the question and helps the Minister.

WIRE FENCING ON THE RAILWAY LINE BETWEEN BANDA AND JHANSI.

\*2. **Thakur Har Prasad Singh :** (a) Is it a fact that there is no wire-fencing on the railway line between Banda and Jhansi ?

(b) Has it been brought to the notice of the Government that on account of there being no fencing many cattle are killed by running trains ?

(c) Do Government intend to ask the railway administration of the Great Indian Peninsula Railway to provide such wire-fencing on the railway line between Banda and Jhansi immediately ?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes.

(b) No.

(c) This part of the question should be put in one of the houses of the Central Legislature.

PASSENGER SHED AT KULPAHAR RAILWAY STATION.

\*3. **Thakur Har Prasad Singh :** (a) Has it been brought to the notice of the Government that the residents of Rath tahsil and a part of Mahoba tahsil flock to Kulpahar railway station on the Great Indian Peninsula Railway in order to avail of railway facilities ?

(b) Is there any passenger shed at Kulpahar sufficient to provide accommodation for the passengers ?

(c) Is it the intention of Government to ask the railway administration of the Great Indian Peninsula Railway to provide such shed immediately ?

**The Hon'ble Sir Sam. O'Donnell :** (a) No.

(b) The Government have ascertained that a shed exists sufficient for the accommodation of forty passengers.

(c) Does not arise.

BUDGET, 1927-28.

DISCUSSION OF DEMANDS FOR GRANTS.

Demand No. 16.

HEAD 25—JAILS AND CONVICT SETTLEMENTS.

**Babu Bhagwati Sahai Bedar :** Before I say anything on the budget I would like, with your permission, to repudiate the charge levelled against me by the Hon'ble the Home Member. Sir, I am above communalism, so much so that I never think on communal lines, and I would welcome the day when this House will be free of this pest. I have suffered at the hands of communalism. I have been to jail for Hindu-Muslim unity, and my sacrifices are evident instances by which every honourable member in this House will judge that I am not a communal man. Sir, I always wanted that everybody should be free from communal bias and it will be really auspicious day when I shall see that all members in this House vote irrespective of their love for a certain community. I am, however, glad to hear that the Hon'ble the Home Member is a Hindu by birth.

**The Hon'ble the President :** The honourable member had better come to the point now.

**Babu Bhagwati Sahai Bedar :** Very well, Sir. The well-being of a nation depends on the laws by which it is governed and similarly the well-being of a department depends on the rules and laws through which it is managed.

Hence, it was in the fitness of things that I wanted a complete revision of the Jail Manual, the real backbone of the jail administration. Only yesterday we were assured that the revision of the Jail Manual is nearing its completion. But the Jail Manual has been revised by those who are interested in not changing the existing conditions, I mean the officials. The expert opinion would have been of great value in this connexion and entrusting this duty to reactionaries or inexperienced men will be simply disastrous. Yesterday when those persons who had no direct knowledge of the jails began to speak on its vices, they said so many things which they ought not to have said and did not say so many things which they ought to have said. So, Sir, the revision of the Jail Manual by those persons who have no direct experience as a prisoner is of no use, because they do not know what are the real conditions and what are the sufferings of the prisoners. There are seven or eight honourable members of this House who have been in jail, and these members would have made excellent rules had they been put in charge of the revision. I think they are the right persons who could have judged what changes should be made in the Jail Manual. The Hon'ble the Home Member could have simplified everything and could have cut short the discussion had he said that the Jail Manual is still under revision. In that case, of course, we would have been placed in the wrong, because, in reply to every one of our criticisms, he would have made a simple reply: "The Manual is under revision." But fortunately or unfortunately he came forward with the statement that the revision was almost completed. Now, Sir, according to his statement what were the changes made? Nothing but a few changes here and a few changes there, absolutely unbeneficial to the prisoners. I shall therefore, cite instances where the Manual ought to have been changed. First of all, I will deal with section 448. It says that the beards and moustaches of all prisoners shall as a rule be closely trimmed and clipped. I do not think that there is any Muhammadan in this House or any honourable member with a fine pair of moustaches or a long flowing beard who would like that his moustaches or beard be trimmed or clipped under any circumstances whatever. There is a Persian saying:—

از آن که خود میسندنی به دیگران میسند

I am a clean-shaved man, and I do not mind such a rule, but I want deletion in the interest of those who will like to maintain their beards and moustaches at all costs. Not only that I think it is a mistake as far as the Muhammadan religion is concerned, that a Muhammadan should be pulled down or cut or rather

Then I come to section 195. It says that a parade on every Tuesday and Friday should be held for the inspection of the police. I do not know what the police have to do with the prisoners. This section ought to have been removed, lest the police in their haunts should hunt after prisoners in jail too and trouble them. Now I draw the attention of

this House to section 284. This section says that in female prisons, wherever they exist, the duty of the female warders will be to teach sewing, knitting, basket-making, weaving, etc., to the prisoners. Now, I ask the Hon'ble the Home Member how many females are there in such prisons who have learnt anything of the sort. I have seen female prisoners twisting *ban* or some such labour.

Now I come to the jail library. In the jail library, of course, there is the Koran and the Ramayana, but this is not enough. These are the two books that are kept there. But the jail library requires much more useful literature, periodicals, newspapers, and many more books for the moral uplift of the prisoners. I hope the Hon'ble the Home Member will give his attention to this.

Now there is the classification of the prisoners in Chapter 18. There I would point out that no provision for special division prisoners has been made. There is a special division of prisoners which ought to be mentioned there and unless it is embodied in these rules Government cannot class anybody as a special division prisoner as a matter of fact.

Then comes that absurd and foolish system, I mean the parade system. Under this system the prisoners should go in a body to latrine. When they are to bathe they should go in a body; they should answer the calls of nature all at once and all these things are to be done at the command of a bell. There is then the absurd clause which prohibits talking when at meals or while bathing. It has also been mentioned that singing will be considered a jail offence. That is a very fancy and novel idea. Sir, I think that in the interests of the health of prisoners an hour should be set apart in the jail time-table when the prisoners should be allowed to sing (Pandit Iqbal Narain Gurtu:—"Have a college of music"). It is mentioned in the Manual that morning meals are supplied before the prisoners go to work. Meals are never supplied before the prisoners commence labour. In fact they are supplied when the prisoners are at work. There are Brahmins and other castes who would not take their morning meal *dalia* or gram when they are doing their labour. Then I come to the section in which it is said that no sooner than the prisoners have finished with their noon meals they are to return immediately to work. I think some time should be allowed for them to take rest. Of course it has been mentioned that in the summer they will be allowed to take rest in their barracks. Why not in winter also? I would point out that everybody requires some rest for half an hour or one hour or even fifteen minutes always after meals and this should be allowed to prisoners as well.

**Mr. R. L. Yorke:** Will the honourable member give the number of the rule?

**Babu Bhagwati Sahai Bedar:** No 500. It says that prisoners in summer months will be allowed to take rest. For this purpose they will be marched to the barracks after meals. At other seasons they will return to work immediately. I want that they should be given some rest at other seasons also. Sir, none of these queries and interruptions would have arisen if certain non-official members of this Council had been included in the committee which revised the Jail Manual. Now, look at paragraph 540, which relates to prisoners sentenced to simple imprisonment, and which further provides that it will absolutely depend on the choice of prisoners whether they get themselves shaved or not, hence my humble submission

[Babu Bhagwati Sahai Bedar.]

is that when it is not obligatory on simple imprisonment prisoners to get themselves shaved, why on earth should it be compulsory in the case of other prisoners. Take, again, that mischievous paragraph 575D, which says that the history of every prisoner will be forwarded to the Criminal Investigation department to show how he has behaved in jail. This is perfectly all right. No doubt such persons need to be watched even after their release who are a danger to the society and pest of a nature. But what about the political prisoners? During the non-co-operation days histories of such prisoners were forwarded to the Criminal Investigation department who held even non-violent political opinions, and I think this rule must go and should be confined to the case of prisoners whose sentences involve moral turpitude. Now, turn to paragraph 585, relating to the release of prisoners on account of illness. Here, I would like to suggest that independent medical advice ought to be taken in the release of such prisoners. Such authority should in no case rest in the hands of the Inspector-General of Prisons or the medical officers in charge of the jail. Then, in the Manual provision is made that two *chhataks* of *ghee* shall be given to 25 under-trial prisoners. I speak from personal experience that during the last five years I have never seen that any quantity of *ghee* has ever been given to the under-trials and I challenge the Government to deny it. I will now call the attention of the Council to paragraph 1209A, which is really very humorous indeed. It says that vegetables from a jail garden shall be allowed daily free of charge to superintendents, jailors, assistant jailors, clerks, muharrirs and medical subordinates sufficient for the requirements of each household.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Only when the requirements of the jail have been met, I should like the honourable member to note.

**Babu Bhagwati Sahai Bedar :** I was coming to that. The paragraph further says : " Provided the requirements of jails have been in the first place fully satisfied." Now, I ask is it at all possible that the jail staff may go starved, while the prisoners enjoy merrily? It is but natural that the jail staff will be fed first, and the prisoners will be fed afterwards. I speak from my personal experience when I submit that every morning *dalis* of vegetables for the jail staff are first arranged and taken to the quarters of the jail staff for their requirements. It is only the leaves of *moolis*, *gobhis* and *karamkallas*, which are given to the prisoners and hence it is absurd to think that the poor jail staff receives the surplus produce of the jail vegetables. Now, Sir, I wish to draw the attention of the honourable members to the invidious distinction between the clothing supplied to the Indian prisoners and those supplied to the European prisoners. The question relating to dietary of the Indian and European prisoners has already been dealt with by the honourable member from Cawnpore. I will now refer to the clothing supplied to the European prisoners. They are supplied—

- 2 *dusooti* coats with 5 cloth buttons.
- 2 *dusooti* pants with 5 cloth buttons.
- 2 *garah* shirts with cloth buttons.
- 2 *garah* drawers with cloth buttons.



- 1 mattress stuffed with straw.
- 1 pillow (cotton).
- 1 pith helmet.
- 1 blanket.
- 2 pairs white socks.
- 2 towels.
- 1 pair black boots with laces.

In the winter they are supplied three blankets as against two supplied to Indian prisoners. The humour of the whole thing is that the European prisoners are to be supplied boots with laces. I could personally be satisfied if the Indian prisoners are each supplied with one pair of *kharaun* each or one pair of ordinary *phatphatias* which can be had for six annas, although I resent the attitude of Government in supplying Dawson boots and shoes to the European prisoners.

I now come to some forms of jail labour. It is said in the Jail Manual that oil pressing is a most excellent form of hard labour. I say that it is a most inhuman form of labour. Then there are two other kinds of labour, viz., crushing of *ram-bas* and felting or shrinking of blankets. I say these are two most objectional forms of labour. I have seen cases in which the prisoners have lost their entire heels owing to this felting of blankets. I am not exaggerating anything. I am speaking from personal experience. If Colonel Clements is asked about this, he will say that these forms of labour are the worst. I am totally against that hard and inhuman labour being imposed on the literates and those who have been in prison for holding certain political opinions. Then there is another inviolous distinction between Indians and Europeans and it is this that while a supposed or suspected lunatic Indian prisoner is sent to the lunatic asylum, a supposed or suspected lunatic European prisoner is sent to one of the following places, where he lives like a prince:—

European lock-up, Allahabad.  
 Kali Shankar Asylum, Benares.  
 Balrampur hospital, Lucknow.  
 European Civil Hospital, Cawnpore.  
 District Civil Hospital, Moradabad.  
 District Civil Hospital, Meerut, and District Civil hospital, Fyzabad.

I do not know what is the reason for this distinction. Why should not European lunatic prisoners also be sent to lunatic asylums?

It has been arranged that there shall be sixteen centres for execution of prisoners. If a man, say from Saharanpur is executed, say, at Bulandshahr, and his relations are not in a position to defray the travelling expenses, etc., then who is to look after the dead body of that poor man? I, therefore, suggest that prisoners should be executed in the district jails of the districts of their residence.

I now come to the diet of Indian prisoners. It is laid down in the Manual that if rice is cheap it may be used in the form of bread or boiled as *khichri*. I do not understand how a *roti* can be prepared of rice. What an excellent preparation would it be. It is further laid down that in either case the combination should be  $\frac{a+h}{2}$  i.e., rice =  $1/8$ , wheat  $5\frac{1}{2}$ , barley  $1\frac{1}{2}$ , pulse  $17/8=14$ . Look at this quad

[Babu Bhagwati Sahai Bedar.]

equation, and I would like to ask the honourable member for the Allahbad University to solve the equation and find out the value of this *khichri* prepared through this novel combination. I am sure the Hon'ble the Home Member would have never seen or tasted a *khichri* of this type. Now I came to *juar*, my old favourite.

**The Hon'ble the President :** I think we have had enough of *juar*.

**Babu Bhagwati Sahai Bedar :** Colonel Clements was the Superintendent of the Lucknow prisons when I was a prisoner, but now when I am a member of the Council unfortunately he has not been sworn in this session, so all the shots have escaped over his head. He knows that 50 per cent. of the jail offences are committed because tobacco, in jails, is prohibited. If tobacco is allowed, then I can say that jail offences will fall by at least 50 per cent. It is tobacco that causes smuggling of money from outside, and encourages corruption. It is tobacco that causes one prisoner to steal another's bread and so many other immoralities. I used to have tobacco in the prison by means of *tigram* (smuggling). I am prohibitionist and I advocate the use of tobacco in jails. It is no use concealing the fact that prisoners get and do take tobacco in jails. I believe the Hon'ble the Home Member is not a prohibitionist, but he believes in abstention or temperance, I ask him to try this experiment for a year and he will see that half the offences will disappear.

**The Hon'ble the President :** The honourable member should remember his promise that he will not exceed his time limit. It is now half an hour that he has been speaking.

**Babu Bhagwati Sahai Bedar :** If all these things are introduced and if more humane treatment is meted out to prisoners, I think there will be enough of reforms in jails. The Inspector-General of Prisons has himself remarked, in the annual report:—"The effect in the change of treatment has been beneficial in every way both from the point of view of the administration and that of the prisoners, who appreciate this amelioration of treatment and generally have become more docile and amenable to discipline." So it is the stringent rules which create jail offences, and if the Government resorts to more amenable legislation I think most of these offences will disappear.

Then there is the question of the construction of separate cook houses. One cook-house has been constructed at Shahjahanpur, and I think it has given very good results, and if cook-houses are constructed everywhere in every prison outside the residential barracks of prisoners I think more effective results will follow. There are many other things which I wanted to say, but since we have to consider another budget, and lest that should be guillotined, I would refrain from doing so. I say that these jails should be turned into so many reformatories. It has been said that jail labour should be given by way of punishment. I do not agree. I say prisoners who are best in their art should be given the labour of their choice, for instance, if a painter goes to a prison and if the labour given to him is of bark-stripping or ban-twisting, will that be of any use to anybody? He should be given painting and I am sure he would be able to earn more. If there are literates, employ them as munshis in jail offices, in jail presses, and it is certain that much of the staff work will be conducted by them. If the instances do satisfy honourable members of this House

that the Jail Manual has not been revised properly or its revision has not been made in the strict sense of the term; then I believe the honourable members will pass this motion unanimously, for there is no communal matter in it and as the reforms will be in the interest of Hindus, Muhammalans and Christians alike. I would, therefore, like that a committee should be appointed to revise the Jail Manual all afresh or else in future the Hon'ble the Home Member will come forward and say that it is only yesterday that the Jail Manual has been revised—and of course we have seen what kind of revision it has undergone. Give us some time to see whether the changes are practicable or not. I think the Jail Manual should be again revised immediately before it is finally completed. I hope that the honourable members will press for the revision of the Jail Manual and, thereby, save from the misery over more than 27,500 down-trodden and misguided countrymen.

I believe my suggestions will be acceptable to the Government as well.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I do not want to traverse the ground that has been gone over by other honourable members in pointing out the defects in the Jail Manual in respect of clothing and bad diet supplied to prisoners, nor about the jail labour and inhuman punishments inflicted upon them. I will take up the economic aspect of this department. There are always two sides to an economic aspect: one is retrenchment and the other is the increase in receipts. I will take them one by one. So far as the retrenchment is concerned, I find that jails are too much encumbered with prisoners on short-term sentences. This point was brought forward by the Economy Committee and accepted by the Government, but I find that it has not adequately been given effect to. The Economy Committee pointed out that "the greatest hope of economy in this department lies in the extension of the probation system and the consequent reduction of the number of offenders in prisons on short-term sentences." They also suggest how that can be remedied when further on they say:—"We think that every effort should be made to secure the substitution for short-term imprisonment of other punishments such as fine, detention till the rising of the court." I brought this point to the notice of the Government in 1925 . . .

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I wanted to know whether the honourable member is in order in discussing under Jails whether the court should award fines instead of short-term imprisonments.

**The Hon'ble the President:** I think the proposition advanced by the honourable member is a matter of argument which has to be met by the Home Member in argument.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** The matter was already brought up by me in 1925 and the Government is committed. On page 156 of volume XVIII we find that when I brought this matter up, the then Hon'ble the Home Member the Maharaja Sahib of Mahmudabad said:—"We have already drawn the attention of the magistrates." Fortunately, the Hon'ble the Home Member is in charge of the portfolios of Administration of Justice as well as of Jails and Convict Settlement. He can introduce such reforms as if introduced in one portfolio produce their desired effect upon the other. By looking

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statements supplied by the annual report on jails for 1926, I find that the number of prisoners on less than one month's imprisonment was 2,678 and the number of prisoners between one month and three months was 4,794. The total number of prisoners that were brought in jail in 1925 was 27,883, out of which 26 per cent. were on short-term imprisonment and consequently *the jail expenses will go up naturally* instead of going down. If this reform is introduced the expenses of the Jail department will go down enormously.

Now I will take up the other side of the question, i.e., how can we increase the revenue of the jail? It is only by improving the manufactures that we can increase our receipts. I also brought this fact to the notice of Government in 1925 and in reply to my argument, the Hon'ble the Home Member said:— 'The honourable member may rest assured that it is the desire of the Government to make the jail department *self-supporting through the development of these industries*.' I whole-heartedly agree with the view of the then Hon'ble the Home Member that if the industries of the Jail department can be developed, the department can certainly become a self-supporting one; but what I find from the report is that they have made very slow progress. In the annual report they say "the total sales to the public amounted to Rs. 2,85,612 compared with Rs. 2,78,678 in 1924," that is an increase of about Rs. 7,000 only. It is certainly not a figure which can give much hope. The figure ought to be in lakhs. What they should do is that they should centralize the industries—they should take up jails separately and introduce one particular industry in each of them. For instance, they can take up the Fatehpur or Cawnpore jail and introduce tent-making therein. What is required is to supply an expert. They can take up the Agra jail and manufacture durries there, so that durries will be manufactured in that jail only. In this way they can run those industries economically and profitably. The return that the jail industries can fetch cannot be fetched by private companies because they have not to pay anything for labour, while, on the other hand, private companies have to pay a lot for labour charges which have risen at least four times during the last ten or twelve years. So, Sir, there can be no comparison at all between industries conducted by the Jail department and the private companies. If these are increased, I am sure the Jail department will become a self-supporting one as said by the Hon'ble the Home Member in 1925.

**Babu Sampurnanand :** I wish to draw the attention of the House to the manner in which Indian prisoners are treated in jails. I know that the Inspector-General of Prisons would not like my referring to the subject. At page 23 of the Jail Administration report for 1925 he complains against the politicians who talk of the reformation of the prisoners and agitate about the conditions inside the jails; but being a politician I have to take up the subject though I might have to displease such a high-placed personage as the Inspector-General of Prisons.

I know that in the opinion of the Inspector-General of Prisons conditions inside jails have improved considerably. At page 9 of this report, he quotes the opinions of the Superintendents of the Lucknow and Allahabad central prisons who say that, because of the abolition of

bell-chains and fetters, substantial shortening of sentences, increased remissions, and so on, conditions inside the jails have improved considerably. I know all this. I know that there have been these superficial improvements and yet, in spite of all this, I wish to assert with all the force at my command, that the treatment of prisoners is callous and heartless in the extreme. I am sure this must be the experience of every member of this House who has had anything to do with prisoners, in any capacity, at any time. On the few occasions in the past, Sir, when I have craved your indulgence to speak before the House, I have tried to fortify my position by referring to blue-books and reports and by quoting statistics. Today I wish to do nothing of the kind; I shall only speak of things which have come within my own experience; things that are known to me more intimately than anything which I could possibly learn from books and reports. Feeling confident as I do that what I am saying must be very much the experience of many members of this House, I shall not burden my speech with many illustrations and examples. I shall, however, give illustrations from the treatment meted out to one man whose name, I believe, is by now familiar to many members of this House, I mean Seth Damodar Sarup. In reply to question No. 45 put by Pandit Govind Ballabh Pant on January 28, the Hon'ble the Home Member observed that "Seth Damodar Sarup has been released on bail on January 18. At the time of his release he was in a low state of health owing to the effects of prolonged hunger-striking and that his weight was 63 pounds at the time that he was released." The case of the Government so far as I can make out from this reply and from other replies given by the Government on other occasions is this. Seth Damodar Sarup is one of the accused in what is called the Kakori dacoity case. He was arrested and put in prison as an under-trial prisoner. He wanted to get out of prison. Since no other means were available, he pretended that he was ill, but as a matter of fact he was suffering from no disease. As the Hon'ble the Home Member says here, "the medical board was of opinion that he was not suffering from any disease at all." To keep up the pretence, Damodar Sarup went on hunger-strike, not for a day or two, but for several months together. As a result he went on getting weaker and weaker. He lost weight from 99 pounds to 63 pounds, that means 36 pounds or 18 seers; that was his loss in weight and naturally, when he became so very weak, the Government released him on bail. I wish to assert that this statement of the Government is not at all true; excepting in the matter of weight, this statement is not at all correct. I know Damodar Sarup. At the time of his arrest he was a member of the staff of the Kashi Vidyapith, an institution to whose staff I myself have the honour to belong. I saw him a month or so before his arrest when he got his first attack of what we then thought to be colic of an acute type; the man was suffering extreme pain; there was no question of his pretending to be ill at that time; there was no reason for hunger-strike at the time. I saw him a short time after, at the Lucknow Medical College Hospital to which he had been transferred from the jail. I saw him then; many others saw him at the time; there were so many hospital warders; there were patients on the neighbouring cots; and anyone who saw him in that condition will refuse to believe the contention of the Government that the man was simply pretending.

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be ill, that he was not suffering from anything. I saw him shortly after his release from jail. He is at present in Benares. The Hon'ble the Home Member in reply to a supplementary question observed that Damodar Sarup was very weak, but he could not say if he could move about or not. With your leave, Sir, I shall describe to the House the condition of Damodar Sarup at the present time, the condition to which he has been reduced by the treatment to which he has been subjected in prison. As the Government itself has admitted, his weight is 63 pounds; that means a little over 30 seers. He is a mere skeleton, a bundle of bones without enough flesh on his body to cover his ribs; a boy of 15 or 16 can easily lift him up in his arms. If the Hon'ble the Home Member cares to know this, I shall tell him that Damodar Sarup cannot move about. It is a painful exercise for him even to utter a few words at a time. Some fresh fruits are crushed and the juice is given to him. That is the sole nourishment that he is given and even that it is difficult for him to digest. He has lost all sense of taste. Place a lump of salt or a lump of sugar or something bitter or acid on his tongue and he feels only an earthy taste. His nervous system is completely shattered; the least excitement upsets him and he gets into a fainting fit which lasts for several hours; one day he will probably swoon to his death. We all know that the pulse-beat of a normal man is 70; his pulse sinks to 45 during these fainting fits. The medical board found that there was nothing wrong with him. With such resources as we have at our disposal at Benares, we had had a clinical examination of his vomit and the contents of his intestines and it was proved that there is an ulcer in his stomach, while the medical board could not find anything in the man for which he could be treated. He is hovering between life and death—nearer death than life. I am not exaggerating and I am not drawing upon my imagination. The man is at present in Benares and any member of this House who wishes to corroborate my statement can make a short trip and ascertain things for himself. I am sure that he will find that the condition of affairs is a hundred times worse than I have been able to describe. I do not make any aspersions, I do not make any insinuations, but I say this deliberately, that if the Government had really wanted to murder this man and yet to escape all responsibility for it, they could not have done more than what they have actually done. You reduce him to this condition and when he is on the brink of death, you release him on bail, so that if, God forbid, the worst happens, you can escape all responsibility for this. As I said, if they really wanted to murder the man, they could not have done otherwise.

**Pandit Brijnandan Prasad Misra :** The Government might say that he pretends death.

**Babu Sampurnanand :** Yes, they might say that. The man was ailing and nothing was done for him. The Hon'ble the Home Member says that Col. Hunter and Dr. Bhatia, who are eminent doctors, examined him. I hope no member of this House will attach any importance to that statement. I have nothing to say against Col. Hunter and Dr. Bhatia. They may be very good physicians but we are all house-holders. We all know eminent physicians, we all know that when one eminent physician fails, when one system of treatment fails, we try another. When

Ayurvedic system fails, we try homeopathic, we try hydropathy, we try Unani, and so on. This thing was not done in the case of this man. The man was crying, he applied to the Government to try Ayurvedic system but he was not allowed to do so. The Government had no right to play with the life of a human being as if he was a mere pawn in a game of chess.

One thing more, Sir. It should not be forgotten that Damodar Sarup was not a convict, Damodar Sarup was only an under-trial prisoner. He had not been found guilty of any crime by any court of law and therefore he was presumably innocent. Any day a court of law may find him innocent and therefore, if this Government can treat an under-trial prisoner, a man who is presumably innocent, in such a cruel way, God knows how they are treating those who are convicts. Again, there is another fact. Damodar Sarup has friends who can speak for him on the platform, who can write for him in the press and who can bring his case to the notice of this House; but everyone is not Damodar Sarup. There are hundreds and thousands perhaps who have no friends, whose case the public will never know and if such a man can be treated in such a way we cannot imagine the terrible suffering that must be inflicted on those who have no one to befriend them. Damodar Sarup's is after all only a case in point, an example; there must be hundreds of others, perhaps worse. We have only to contrast this with the treatment which is given to the European prisoners in jails. I will not go over that ground which has been covered by others; it is useless. We all know that the European who may have committed deliberate rascality gets the fat of the land. There are so many things which can be said on this point. For instance, only the other day, the Hon'ble the Home Member stated that though he had promised that he would relieve the Indian prisoners from the duty of pulling fans for European prisoners and that he would provide jost fans for them he has not been able to redeem that promise. For him it may be merely a financial question but for us it is much more. It is a question of racial distinction, an invidious racial distinction. My point is simply this. During the summer of 1921-22 you have had in your jails so many Indians of eminent social status. Did you provide any one of these prisoners with European punkha coolies? Sir, I myself have been in jail. I have been in three jails—Benares Central Prison, Benares District Jail, and Lucknow District Jail. Besides my personal experience, I have had occasions of speaking with those who were permanent convicts and I know that what I have been saying is the truth, nothing but the truth, but certainly not the whole truth. It is not possible for us to describe the whole truth. It is only to be seen and experienced. The system is to blame, the system under which these officers are utterly irresponsible; they know they will never be called upon to explain, or be punished. I remember, Sir, a conversation which we had with Col. Clements, Superintendent of the Lucknow Jail. We told him of the arrangements entered into between us on the one hand and Major Harvey, the Superintendent of the Benares Jail, and the District Magistrate of Benares, on the other, for our comfort. After listening to us he said (and I shall never forget his words):—“I do not know what the Superintendent of the Benares Jail did; I do not care what the District Magistrate of Benares said, but here, I am master. My word is law.” These were his words. Sir, the system under which it is possible for an officer of Government, for a man who is placed in

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charge of other fellow beings, to speak like this, is barbarous. A system under which under-trial prisoners can be made to suffer as Damodar Sarup suffered is inhuman, and I hope the House will by its unanimous vote show Government its opinion of this treatment and of this system. The House will otherwise stultify itself, it will stultify its sense of humanity, for after all these prisoners are human beings, and no one of us can lay his hands on his heart and say that he is not a sinner though not a criminal in law. The prisoners are human beings and we would be doing violence to humanity, if we were not to censure the Government and show Government that we hold in abhorrence this system under which Indian prisoners are being treated in jails.

**Khan Bahadur Maulvi Fasih-ud-din :** As some of our friends have spent all their oratorical powers over this question I want to save the time of the Council by being very brief, and by speaking only on those points which have not been discussed yet. One has to admit that the jail is not a place which may be used as a home of comfort, or as an abode for leading an easy life or a life of luxury. It is on the other hand a place which is meant for locking up convicted criminals, the depraved and dangerous members of society. Although at times some of our best men find a place in the jail by reason of political or some other offences not involving moral turpitude, and sometimes for no offence whatever, but it cannot be denied that we cannot go at a breakneck pace in the matter of jail reforms, and we cannot make jails attractive for that stratum of society which pursues a career of crime, for that class of people whose conscience does not prevent them from committing offences frequently. At the same time I do not mean to say that we have come to the fag end of our list of reforms. We are thankful to the Hon'ble the Home Member and his predecessor for having effected many reforms during the last few years in the jails, but I think that the programme of the jail requires to be overhauled as regards one or two points. The first point I want to mention is that the jail daroga is all-powerful. He is the monarch of all he surveys and there is none to dispute his will. Where is that plucky prisoner who can even open his lips against this official in the presence of the Superintendent of the jail or even before a non-official visitor? And if he does do so he is liable to be thrashed immediately after the officer turns his back on the jail. This is due to the fact that the supervision over his work is perfunctory and inadequate. The overworked civil surgeon who is invariably the superintendent of district jails cares more for his own professional work than for the work of the jail and even if he wanted to take up this work in right earnest he has no time to do so. And the petty allowance that he gets makes him think that the game is not worth the candle. I am firmly of the opinion which has been based on a long and careful observation of the conditions of jails that there should be a whole-time officer for each jail in the province, an officer who may be recruited from the educated classes, a man of good birth and breeding. This is a reform which in my opinion is very urgently needed. The cost of this scheme will be repaid by the advantages accruing from it. Every department from education down to excise bankers after more and more supervision, and there is absolutely no reason why the management of the jail should be left almost entirely to the sweet will of one omnipotent daroga. I think the matter should be considered seriously.



Another point which I want to bring out is that the programme of the jail does not take into account the various grades of society to which the prisoners belong. For instance a man who has spent his life in doing spade-work in his field from morning to evening under the hot sun of May and June finds the task that has been prescribed by the jail congenial to him and we cannot compare his case with the case of a gentleman who has spent his life in the studio and who has used his brains more than his muscles. Again the man who has been living on coarser diets than that prescribed in the Jail Manual, the diet of juar or gram bread, the diet of turnips, cucumbers and cabbages, will look upon this diet as a godsend, while the man who has been living from his boyhood on luxurious breakfasts or sumptuous dinners will be killed as soon as he is given this diet. This is a matter for the very serious consideration of the Government. I am not one of those who grudge Europeans the treatment they receive at the jails in the matter of their diet, but I insist on this demand that a similar treatment should be meted out to cultured Indians also. As a point of honour, as a matter of bare justice, as a matter of necessity, I do not wish to follow the example of that hunchback who when asked whether he wanted to have his deformity cured or whether he would like all other people to be hunchbacked like himself said he would like to see all other people as hunchbacks because he would then look upon them with the same eye as they had been looking upon him—I do not wish to follow this example. I wish that, if Europeans cannot live on any other diet than that which is prescribed in the Jail Manual, the same treatment should be given to Indians. I think for this reason that there should be different classes of prisoners according to their culture, according to their status in life, and that the whole programme of jails should be remodelled.

The other point that I wish to bring to the notice of this honourable House is that there are no adequate arrangements for juvenile offenders in the jails. There are some places for keeping these juvenile offenders, i. e., offenders under the age of 16 years, but they are not sufficient, and at times these juveniles are lumped up with bigger people. I notice that as far back as three years ago the Inspector-General of Prisons complained in his report that there were not sufficient arrangements for keeping these juveniles and I find that no improvement has been effected in this respect.

Another point that I wish to bring to the notice of this House is this, that there ought to be separate jails for females. The present arrangement is not only unsatisfactory, but I should say it is absurd, and it is insulting to Indians. My friend Mr. Mehrotra has just made a suggestion with which I am sorry I cannot agree. He says that the jails should be self-supporting. He forgets that the work that is being turned out in these jails is the work of men who are not experts. These prisoners have to learn that work, so that it may be useful to them in their career after they get out of the jails, and for that reason the product of the jail cannot possibly compete with product of factories.

The other point that I wish to submit is this, that if the jails are made self-supporting they will compete with private industrial enterprise, and if they do so there will be again a hue and cry on our part that the jail factories are trying to crush and stifle private enterprise. It is for this reason that I think as a matter of policy there should be attempt at making these jails self supporting.

**Khan Bahadur Hafiz Hidayat Husain :** If I rise to speak on this occasion it is not because I am unmindful of the keen personal interest which the Hon'ble the Nawab of Chhatari, the Home Member, takes in the amelioration of the conditions of jail life generally and the welfare of the prisoners specially, but it is simply because I have a constructive suggestion to make. Every year during the budget discussion complaints are made by honourable members of this House who draw for their information either on what they hear outside or what they know from their personal experience. There is the complaint, renewed year after year, with regard to the dietary; there is the complaint with regard to clothing; there is the complaint with regard to special division prisoners; there is the complaint with regard to jail labour—to the *kolhu*, *chakki*, and *bans*-beating labour—which are inhuman. Then there is the complaint with regard to the staff; then there is the complaint with regard to the segregation of habitual offenders; then there is the complaint with regard to the supply of tobacco and, finally, regarding the Jail Manual. In the later task Col. Clements has been engaged with the collaboration of Sir Ivo Elliott since October, 1925. He has said in the report that he has issued for the year ending December 31, 1925, that he has been engaged over this report since October, 1925. From October, 1925, to March, 1927, is a distant cry and it is rather strange that this Manual which the Inspector-General describes in his letter covering the administration report and which is dated April 17, 1926, as nearly complete, is yet, a year later, not complete. Then Sir, with regard to the medical board. The less said about these things the better. The medical board, as stated by my friend on my right, found Babu Damodar Sarup, a man hovering between life and death, not to be in an unsatisfactory state of health. I know of one instance at least in which a prisoner convicted for cold-blooded murder has been released on the medical report that he was suffering from a fatal disease, i.e., consumption. This is two years ago, but the man is still living and growing strong, and he never suffered from consumption. I brought this matter to the notice of the Government twice before, with no result. What I wish to say is this. In order to obviate all this, in order to remedy all these grievances, would it not be proper if the Hon'ble the Home Member considered the advisability of forming a Jail Commission to go into all these affairs and to inquire into all these complaints and submit its report to the Government. Well, Sir, personally, I am not very fond of committees and commissions. But still something does come out of them. If my idea commends itself to the Hon'ble the Home Member and the commission he constitutes is one in which the public and this Council have confidence, I am sure a great deal of our time and the time of this Council on future occasions will be saved and many things which the members suggest in this Council, some of them for the first time probably, will be ventilated before that commission threshed out before it. The United Provinces jail administration has never seen the subject of investigation before any commission. This is my reason why I advocate the formation of a commission.

There are one or two points of a more or less which I should like to mention on which questions will be the course of the debate. The first point is the formation of the Jail Manual has taken. In this respect

I would like to say a word in self-defence. Jail Manuals have been revised in other provinces, and I think I am right in saying that in every case an officer has been placed on special duty for that work. The Judicial department is already a heavy department, and we have got to do this work in addition to our other ordinary duties. We have been as anxious as the honourable members are to get the work finished and get it out of the way. We have pushed it on as quickly as we have been able to do. I am sorry it has taken some time. But it is a very heavy work and a great deal of time has been necessary. As the course of the debate shows, there have been a number of points which required consideration. The Manual is in the Press now, complete, I believe, except for two chapters. One chapter requires the orders of higher authorities, as questions of jail punishment are, by the Prisons Act, subject to the control of the Governor-General. But the work is complete, and I do not think now that there will be very much more delay before the publication of the new volume.

The second point was one raised by Mr. Mehrotra, and that is the manner in which it is possible to reduce jail expenditure. He has suggested that one way of doing this is to keep the first offender out of jail. Well, Sir, that remedy does not lie with the jail authorities. The honourable members will, perhaps, remember that in 1923 an amending Act was passed dealing with section 562 of the Criminal Procedure Code, which deals with first offenders. The effect was to extend considerably the offences for which it was permissible to release first offenders on their executing a bond. We have figures to show the extent to which that amendment has reduced the jail population. The number of prisoners who were released in 1923 under section 562 of the Criminal Procedure Code was 880, and in 1925 it was 2,600. That is a very substantial increase. But there is connected with this another question of considerable difficulty, and that is to provide, if possible, an agency for looking after and supervising these prisoners released on bond under section 562, Criminal Procedure Code. This question is at present under consideration. The conference of Inspectors-General of Prisons this year made a recommendation that a system should be introduced on the lines of the English system. In England there is a Probation of Offenders Act, by which probation officers are appointed by the court, which release the prisoners on bond. They are responsible for looking after the prisoners and for reporting to the court their behaviour. They are generally expected to keep an eye on them and to help them. The problem is very much easier in England, because there is an organized system of prisoners' aid society, and it is easier to get individuals also to come forward to undertake this work. The system in India has been tried so far as possible, and I am afraid it has not been very successful. Attempts have been made to form committees in districts to work with the authorities and to look after prisoners after their release. But, as far as I am aware, the only district in which one of these committees is still in existence is Muttra. Elsewhere they have proved more or less a failure. Failing such committees, this system requires individual officers to be appointed to look after individual prisoners. It is difficult to find individual persons to come forward to exercise these functions. It is quite possible that in large towns they may be found, and the Government are at present examining the situation with a view, if possible, to finding such officers.

[Mr. H. A. Lane.]

The other point upon which I would like to say a word or two is the question of jail punishment. Several honourable members have expressed the view that, so far as possible, the unproductive forms of punishment should not be employed in jails. Well, Sir, that is the view with which everybody, I think, will cordially agree, and, as far as it is possible to do so, unproductive forms of punishment are not used in our jails.

One or two other suggestions have been made for the abolition of certain forms of punishment. Now, Sir, in considering the forms of punishment, it is essential to remember that the scheme of jail punishment is a whole, it is not a collection of punishments, which are devised, to be applied haphazardly irrespective of the offences for which they are inflicted. There are various forms of offences committed by prisoners in jails which are of different characters. There are, for example, offences of violence or mutiny or of assaulting jail officers. These offences are extremely serious, and the risk is that, once that kind of offence is committed, there is the danger of a mutiny or a riot, which will necessitate the firing upon prisoners. Another type of offence is the one committed by what are known as the contumacious prisoners. You punish a contumacious prisoner, and he takes no notice of it, you punish him a second time, and he does the same. In fact, the more you punish him the more rude he becomes. He is devoid of discipline, and it is necessary to have some sort of punishment, not so severe a punishment as is inflicted on those who are inclined to mutiny or violence, but nevertheless of a serious nature. Then, again, we have a type of offence such as is committed by a malingerer or a man who refuses to do work. He avoids work by shirking or malingering. The scheme of jail punishment is so devised that the jail officers may have ready a form of punishment which is suitable for each particular type of offence. If you remove one particular form of punishment the risk is that in order to deal with a less heinous offence you have to inflict a more severe form of punishment. For the contumacious prisoners the most suitable form of punishment is considered to be standing handcuffs. It is not inflicted unless the jail medical officer certifies that the prisoner is fit to stand it. It is not inhuman, but it is sufficiently severe to bring him to his senses. If you do away with standing handcuffs you have to inflict upon the prisoner either a form of punishment which is not adequate and has no curative effect or a punishment which is more severe than the one which the prisoner deserves. It is in order to avoid unduly severe forms of punishments that the punishment of standing handcuffs has to be retained. Then for the malingerer or the shirker it is not the slightest use inflicting any form of punishment which entails a cessation from work. His object is to escape work. If you give him some punishment at which he can do no work he is perfectly satisfied. It is for prisoners of that sort that another form of punishment, which is mentioned as unnecessary, viz., bar fetters, is retained. Bar fetters is the most suitable form of punishment for this form of offence; for while being inflicted it leaves the prisoner still capable of working. For the malingerer or the shirker it is necessary that this form of punishment should be retained. This explains why it is desirable to retain particular forms of punishments which have been mentioned by the honourable members as unnecessary.

**Babu Vikramajit Singh :** May I put a question to Mr. Lane? Will he kindly state what special changes have been made in the revised Manual with reference to the points raised in the debate?

**Mr. H. A. Lane :** It would take me at least four or five hours to deal with all the matters. Moreover, most of the important points will be dealt with by the Hon'ble the Home Member in his speech.

**The Hon'ble Rai Rajeshwar Bali :** I wish to speak upon a little point which has been raised by my honourable friend, Mr. Bedar, regarding the invidious distinction that obtains between the treatment of European and Indian suspected lunatics. The House will remember that my present honourable colleague, then a non-official, Thakur Rajendra Singh, moved a resolution on the 17th December, 1924, on this subject, and I accepted a compromise by which this distinction between European and Indian suspected lunatics was to be removed. That distinction has now been removed. I need not read the orders, which have since then been incorporated in the Manual of Government Orders. But I assure the honourable members that that distinction has been removed.

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan :** It is unfortunate that some of my honourable friends seem to have misunderstood me when I spoke yesterday in introducing the budget of the Jail department. What I said was: "The revision of the Jail Manual is now approaching completion, and the honourable members may rest assured that the criticisms made by them from time to time are receiving our full consideration in the revision of the Jail Manual." After this I mentioned a few changes that took place. When I did so I never meant that those were the only changes which had been incorporated in the Jail Manual. What I meant was that they were some of the changes which had been made in the Jail Manual. Different points have been raised by different honourable members, and in reply to them I say that section relating to boards has now been modified in the Jail Manual; that the police attending the parade is no more in the Jail Manual; that a special division for prisoners has now been provided in the Jail Manual; and that the latrine parade system is also abolished. As to the question of providing two sets of clothing, we had this proposal, but owing to shortness of money we could not adopt it. If the Finance department could give us money, and if my honourable friends, the Ministers, would be a little more generous towards the reserved departments and allow me to take something from the Finance department I think the proposal can be given effect to. There were various points raised yesterday by different honourable members during the debate, and it is probable that I might have missed one or two points. Some honourable member raised the question of educational qualifications of the deputy jailors. The education qualifications of the deputy jailors are that they should be intermediates, but during the last selection six out of ten were graduates.

As regards the juar diet, I said only that it was not unhealthy in any way. If the honourable members wish that this should be discontinued I shall take the necessary steps to have it discontinued.

As to the remarks of Mr. Bedar about the combination of *khichri* I would like to say that he has, perhaps, overlooked the note which is just below the section relating to *khichri*. Wheat and barley are meant for bread, and they are not to be combined with *khichri*. I think it is simply an oversight, and that was the reason why he did not quote it.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

connexion with dietary, I will say that I am indebted to the honourable member for Bijnor in appreciating our effort in improving the condition in the jails. Appreciation is sweet coming from any quarter, but it is sweeter when it comes from that quarter which on account of the personal experience is regarded as an expert view. The House is well aware that Government respects expert view to a very great extent. Here I would like to quote some of the remarks that were made by some of our Swarajist friends while visiting the jails. Thakur Manjit Singh in his note said: "I inspected the jail to-day between the hours of 10-30 and 11 and was satisfied to that the prisoners here at the time taking their meal had nothing to complain against the quality and quantity of the food supplied." Babu Nemi Saran Sahib, M.L.C., visited the jail, and he said very kindly that the quality of the food supplied to prisoners was a distinct improvement.

**Pandit Nanak Chand:** Were these visits surprise visits or pre-arranged?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I beg my honourable friend to let me continue.

The other remark made by another friend of mine is: "We asked several prisoners about the treatment that they were having at the hands of the jail authorities and they said there was nothing to complain of, but rather the treatment to them was in every way satisfactory." These are the statements that we have received, not from officials, but from non-officials, and it is a matter of great satisfaction to me to find that our efforts are really appreciated, and I am really very much indebted to the honourable members for giving us these chits, because they are very encouraging and they will encourage us further to improve the conditions in the jails.

There was another question raised by my friend sitting opposite about jail manufactures, and a suggestion was made by him that we ought to try and make our jails, self-supporting, if possible. In my opinion it is possible to make the jails, if not quite self-supporting almost self-supporting. But the difficulty is this, and when I will put the difficulty before the House I think my honourable friend will have to reconsider his decision. The real difficulty is that we are not allowed, and rightly so, to compete in the open market with different firms. We have got a jail in Agra and we make carpets there. If you allow us to compete with the carpet factories of Agra the result will be that we will be able to beat them in the open market, because they cannot get as cheap labour as we do.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** What about the Government supply?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** To Government we supply. We do not compete in the open market, but in a way it is competition, because had we not been supplying the Government, the Government would also have to go to the open market. To some extent this could be justified, but for making the jails self-supporting it is necessary that the House should decide once for all whether the jails should be allowed to compete in the open market. If the House is willing to give us that option, I may be willing to carry out the order of the House. But at the same time I may warn honourable members that it

will not be fair to our industrialists. We have started vocational training and vocational education in the Jail department; that is the crux of the whole thing as far as we have been able to grasp the situation. So far we have been taking men into the jails, punishing them, sending them back as bad as they were, and they did not know what to do on release. They again committed crime and were sent back to jails. By introducing vocational institutions, which I hope will be approved when I come with a supplementary estimate, we are trying to teach the criminals how to earn their bread honestly. For instance, if we could make so many blacksmiths or carpenters, it is quite possible that out of every hundred ten of them will go and start their profession which they have learnt in the jail. Which means that there will be ten criminals less. I think that the money spent on this will be amply repaid if we could reclaim 10 per cent. of our criminals. This is what we have started and what we propose to do in our jails.

Now I will come to the case of Seth Damodar Sarup. Honourable members are aware that neither myself nor anybody in the Government is a doctor, and in a matter like this we always follow the advice of our experts. When Seth Damodar Sarup got ill a medical board was ordered to examine him, and that medical board consisted of Dr. Bhatia, Captain Salamat-ullah, and Dr. Hunter. All three very good physicians, two of them Indians, one Hindu, and one Muhammadan, and there was one European. So from every point of view that medical board was satisfactory, and the medical board came to the conclusion at the time that Seth Damodar Sarup was not ill. The House can very well imagine that it was impossible for me or any member of the Government to say that the expert doctors were wrong and we were right. Then there was another thing to be taken into account. Seth Damodar Sarup was in the jail as an under-trial prisoner according to an order of a judicial court, and it was impossible for us to interfere and to ask the Judicial court to release him, because after all the judiciary should be left to do its own duty. But from what I know of the history of Seth Damodar Sarup I am aware that he was given every sort of fruit juice when he could not digest anything else; that he had two or three prisoners attending upon him, and every comfort that could have been given in the jails was provided to him. I am sorry to learn from my friend to-day that his condition is so bad now. But the honourable members can very well imagine that there was no fault of the Government in this. Seth Damodar Sarup started hunger strike and he got weaker and weaker. Our doctor says that he gave us no help in diagnosing his malady. On account of his hunger strike they were not in a position to say whether he was losing his weight or getting weaker and weaker either on account of a certain disease or on account of hunger strike. This was the position in which all our doctors were placed at the time, and, as the whole thing was in the judicial court, it was not possible for the Government to interfere.

These were, I believe, the different points raised during the discussion, and I think I have tried to meet them all. If I have forgotten and missed any point I hope the honourable members will excuse me, for after all it is human to err.

**Rai Bahadur Babu Vikramajit Singh:** What about religious instruction in jails?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** About religious instruction in jails the position is this, that as was promised by my predecessor in office we provided every possible facility to the voluntary workers in the jails, and we are told that we have already got preachers in Rae-Bareilly jail, at Cawnpore, Muttra, Banda, Fatehpur, Muzaffarnagar, Orai, and Azamgarh. The difficulty in Government's taking this thing into their own hands is that if we once start giving religious education ourselves, where are we going to stop? The moment we appoint a Muhammadan preacher we shall have to appoint a Hindu. Then when these two preachers have been appointed then there are different sub-sections of the Muhammadan side who will come forward and ask for a preacher of their own sect to be appointed, for example, the Shia people will say that the Shia prisoners must not be taught the Sunni religion and they should have a Shia preacher. Similarly, among the Hindus the Arya Samajists will want a preacher from among the Arya Samajists. My honourable friend the member for the Chamber of Commerce is a very good Sanatan Dharmist, and therefore he would naturally press that the preacher should be a Sanatan Dharmist. Then there were Jains and Brahmos and so on. Therefore, the difficulty of the Government will be very great if they once took to giving religious instruction in jails on their own shoulders. What Government is prepared to do is to give every facility to those who want to send their own preachers into the jails. Give us the men and we will make every arrangement for them to go to the prisoners and teach them. Then, of course, the responsibility will not be ours.

I hope honourable members, who are the representatives of the nation here, will feel that practically it is very difficult for the Government to appoint preachers for religious teaching. Of course, we have got some such proposal before us to give education to our juveniles, but we can give them general education.

**Thakur Manjit Singh Rathor :** It was not my desire to say anything about the Jail department at this stage because a lot has been said about it already and there is not much time to say more. I believe as little as possible should be said about the jail administration because it is such that it does not need many words. The reason why I interfere at this part of the debate is that the Hon'ble the Home Member has quoted me partially, and if I observed silence I fear it would be misconstrued and people will misunderstand the position. Therefore, it is in the interest of truth and in the interest of fair play to myself that I am going to say a few words with regard to what I wrote in the inspection report. The sentences that have been quoted are there. I agree that we should give the devil his due. Even when the Government are perfectly right I see absolutely no justification why their critics should bring Government to unnecessary objections and unnecessary ridicule. I think that where the Government are doing their duty correctly and they should be given proper appreciation, and if I wrote in my report that the Dehra Dun jail good food and proper clothing was provided, there is no reason to disown that remark. More than that in the inspection book I wrote that the hospital at Dehra Dun district jail were hardly satisfactory. It was not the jail provided for the European criminals which can really be called a hotel, whereas the Dehra Dun jail is a small room of about 36 by 20 feet.



in which more than once I have seen during my visits that there were about five to six inmates. I fail to see how a hospital with such small dimensions can satisfy the requirements of sanitation, of fresh air, so my suggestion is that the present European ward of the district jail which is outside the jail compound and which is, I think, a perfectly sanitary building should be converted into a hospital and the present hospital should be discontinued.

While again referring to the jail diet I would strongly urge that *juar* diet, which is given to the prisoners, should be discontinued as there is a strong feeling against it.

In bringing my remarks to a close, because of the requirements of time, I would say that the Government should keep in view the fact that the present system of providing only one suit in one year to the jail prisoners is very unsatisfactory. I have received numerous complaints with regard to this, and that is why I am mentioning it before the House. Secondly, to provide only one *izarband* in the year to a prisoner is a practice which is, I think, absolutely unjustifiable. It is not necessary for me to say anything more about it as honourable members can very well understand what hardship and humiliation prisoners are put to if the one solitary *izarband* is broken in the course of the year. He has got to go a-begging for it to the jailor, to the subordinates there who are all his masters, and he is solely at the mercy of these jail officials. Therefore I suggest that two sets of clothes and two *izarbands* should be given to each prisoner every year and *juar* diet should be discontinued. I also hope that the Hon'ble the Home Member will consider my suggestion of converting the European jail into a hospital for the district jail.

**Mr. Mukandi Lal :** I had no desire to intervene at this stage, but for the remark made by the Hon'ble the Home Member that he would like to have the considered opinion of this House as regards the policy of the Government so far as jail manufactures are concerned. I wanted to make this observation when I proposed a substantive cut in one of the items under "Jail manufactures." I fail to understand why Government should have a soft corner in their heart for the mill-owners and factory-owners, why should they not take into consideration the opinion of this House, why should the Government not compete with the manufacturers and industrialists, I think the business men, the mill-owners and factory owners of our province or even for the matter of that of the whole of India can look after themselves. If the business men can compete with Japan, if they can compete with America, with Great Britain, why should they feel shy of our jail manufacture, why should they not compete with our prisons? If our jails can turn out better quality of goods it is their look-out to pay their labourers better, treat them better, and produce better quality of goods. I think the Government should not feel shy of declaring it as their policy that the jails should be self-supporting and should produce goods which can compete with those produced by the mill-owners and business men of our province, when we have so many kinds of labour in our jails. I think by engaging our prisoners on fine artisan labour of making carpets and various other goods we will be improving the morale and the morals of our prisoners. I, therefore, think that Government should take it as the considered

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opinion of this House, that they should not fear to compete with the commercial concerns and industrialists of the province.

There is no danger of Government in any way competing with the cottage industries. In some quarters it is apprehended that if our jails turn out good articles perhaps our cottage industries will be stifled and will not receive encouragement. There may also be the fear that by allowing jails to put their goods in the market the Industries department may also suffer. But I think that our jails in this respect would be putting a good example before the Industries department in producing better and cheaper articles. I, therefore, venture to suggest to the Government that they should not feel shy to compete with the manufactures and that they must make the jails self-supporting.

There is one more observation which I should like to make. It is not in connexion with jail manufactures, but it is as regards the utensils used in jails. I have seen with my own eyes that in the jails *dal* is cooked in utensils made of iron and not of brass. I would suggest to the Hon'ble the Home Member that the cooking of *dal* in brass utensils should be made compulsory, so that we may not have any further occasion of seeing *dal* turn black in these iron utensils as I have seen in the Dehra Dun jail. With these remarks I again press the Government to compete with the manufacturers.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Pandit Govind Ballabh Pant :** At this late hour I do not think it is proper for me to deliver a speech on a subject over which I have a very strong, acute and almost irrepressible feeling. In fact, I realize that there is such a fundamental difference in the official outlook and our own in the matter of jail administration that one cannot possibly speak with restraint. The speech delivered by the honourable member for Benares has made my task still more difficult, for I was in close contact with Seth Damodar Swarup at the time when those unfortunate developments took place, and, if I were to give vent to my own feeling and to state all that I know, I think I would be introducing an element in this House which at this stage and at this late hour I do not consider prudent to do. So I have no desire to let my lacerated heart flow out here. I will keep quiet and not say a word.

**Babu Nemi Saran :** To be very brief I would only say two or three words by way of reply. Sir, the Hon'ble the Home Member in his reply has tried to meet the many points which have been raised during the discussion, but unfortunately he had evaded the reply on two or three most important questions connected with this motion. The first to which the Home Member has not replied is whether he is giving an assurance to the effect that he would appoint a committee by K. B. Hafiz Hidayat Husain to go into the administration and to submit their report to Government as a new thing. Other provinces have done like commissions had been appointed, in Bengal a committee. The second thing to which he has not replied is to have a standing committee on jails as other

departments of Government have got their standing committees. The third thing about which he is silent is whether there has been any specific instruction on behalf of the Government to their subordinates that the old much-maligned practice of Indians pulling fans for Europeans should be discontinued. I tried to read in the speech of the Home Member which he delivered.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

**Babu Nemi Saran :** I cannot make out what he meant by "yes" ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** That custom has been abolished.

**Babu Nemi Saran :** I take the assurance of the Hon'ble the Home Member that he has issued instructions that this custom should be abolished and that they are being followed. That is very fortunate, and I hope that in this summer which is coming no such instance would be brought to the notice of this House wherein this rule might have been infringed. Then, Sir, I would only confine myself to the two questions which I have already mentioned. The first is the question of the appointment of a Jail Commission, and the second is of a standing committee on jails, and, lastly, I would conclude by saying that this department, in spite of all what has been done, has yet to improve. It is one of the departments which has got no soul in it. It deals with human lives and human liberties. But the harrowing tale which is a living fact narrated by my honourable friend, Mr. Samournanan, regarding the state of health of Seth Damodar Swarup and the part played by this department in bringing him and his health to such a pass is a sad commentary on the administration of this department. I would only request the Home Member to feel whether under these circumstances in which it is possible that human lives can be played as that of Damodar Swarup has been played with is it justifiable that he should go uncensured ? I do not know how far the Home Member is responsible for the treatment meted out to Damodar Swarup. Then I do not know how far the Home Member is connected with that case, but at least the officers under him have not taken due care to do justice to the man, and they, I think, stand charged with that carelessness and with that inhumanity which is not unknown to us from the benches opposite. Well, Sir, in concluding I would request you to put this motion in the form of two issues before the House. One is regarding the appointment of a Commission to inquire into the activities of the Jail department, and the second is the appointment of a standing committee on the Jail department. These are the two issues I wish to bring particularly to the notice of the House under the cut.

*The motion was put and adopted.*

**Mr. Zahur Ahmad :** I beg to move a token reduction of Rs. 100 under the entire head "Jail" amounting to Rs. 34,18,040 (page 80 of the Detailed estimates.)

I put this motion, Sir, under this head, because the observations I wish to make relate to the central and district jails. The object of moving this cut is to draw the attention of the Government to certain hardships to convicts and the want of sympathy and intolerance on the part of the jail authorities in connexion with the performance and observance of some religious obligations by the convicts in central a

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district jails. Sir, the basic principle of British administration in this country is freedom of religious worship and even freedom to those who wish to perform their religious duties. I believe that this principle should be followed in institutions run and controlled by Government, and that no hindrance, directly or indirectly, either in the form of any hardship or coercion, should be placed in the way of those convicts who wish to perform their religious duties and obligations in jail. The point, therefore, Sir, I wish to bring to the notice of the Hon'ble the Home Member is this that every community in India observes some periods of the year as fasting periods, such as the month of *Ramzan*, the *Ekadasi*, the *Anant Chaudas*, the *Sheoratri*. The treatment with both Hindus and Muhammadans is very unfortunate when the members of these communities who are in jails wish to fast while they are in jail. If they are given hard labour in the form of working in mills or any other hard work while they are fasting it is really inhuman and very hard. I do not ask for any exemption from duties imposed on them by jail regulations and courts of law, but I do wish to ask this much in the name of humanity that when prisoners decide to observe fast in the month of *Rumzan* they should not be required to undergo any sort of hard labour. They might be in these days given labour such as that referred to by my honourable friend the member for the Chamber of Commerce, namely, any labour of medium class. There is another point connected with prisoners who keep fast, as my learned friend the member for the Chamber of Commerce pointed out. European, Eurasian, and Anglo-Indian prisoners are supplied with sugar, milk, and rice.

**The Hon'ble the President :** We cannot have the same arguments repeated again now.

**Mr. Zahur Ahmad :** I am not going to repeat the same argument, Sir; what I say is this why not deduct some of this diet from these Europeans, Anglo-Indians, and Eurasians who are not fasting and give it to those who are fasting? If Government is not prepared to do so I would ask the Hon'ble the Home Member that he should issue instructions to jail authorities that relations of those who keep fasts in jails should be permitted to deposit a certain sum of money to be spent on the extra diet to be supplied to prison while the prisoners are fasting. I hope that the Hon'ble the Home Member will not find any difficulty to do so. There is another point, and that is this, that those who fast should be given clean water, because they request for bath or to perform daily *wazu* five times in a day. I hope that the Hon'ble the Home Member would issue instruction that a number of *gharas* or *matkas* should be provided with sufficient clean water for these purposes. I hope there will be no hesitation in this, as they are matters of sympathy, humanity, and kindness as well as creating facilities in the way of those who wish to perform their religious obligations. Then, Sir, as you know, Musalmans in the month of *Ramzan* observe fasting. Eighteen days have already passed and only a few days remain. I want to ask the Hon'ble the Home Member to issue facilities to such Musalmans as keep fast during the month of *Ramzan* and not to put them to any hard labour; and also to supply extra diet, either through Government agency or through private agency, and I request him to issue telegraphic instructions to those who are fasting from undergoing any sort of hard labour.

of hard labour in this month of *Ramsan*. At least they will be saved all this trouble for a few days from hard labour when they are fasting.

There is another point towards which I wish to draw the attention of the Government, and that is about the fixing of dates of the visits by non-official visitors of jails. This method of visiting jails on fixed dates jeopardizes the very essence of the healthy results of the visits of non-official jail visitors, for if jail officials know that visitors are coming on certain days they will get ready and have everything clean and tidy for the visitors to avoid complaints, but if there are surprise visits the real object contemplated by the non-official visits will be realized.

I have to make one more complaint, and that is this. Up to this time four months have elapsed to this new Council, but the members returned from the urban constituencies of Allahabad have not yet been declared as non-official visitors of the jails there. Not a single member returned from the urban constituencies of Allahabad has received any communication from the Government that he is appointed a non-official visitor and can visit the jails in Allahabad.

With these remarks I hope the Hon'ble the Home Member will agree and will be pleased to issue telegraphic instructions regarding the prisoners who are at present fasting and are undergoing hardship of hard labour in the form of working at oil mills and flour mills to be relieved from undergoing any hard labour in this month of *Ramsan*, and also to be supplied with extra diet in the form of sugar, milk, and rice either through Government agency or through their relations, and also arrangement for pure and clean water for *wazu* and daily bath will be made in jails.

**Saiyid Habib-ullah:** I rise to give my whole-hearted support to this motion moved by my honourable friend, Mr. Zahur Ahmad. I submit that the request which has been made by my friend is quite reasonable, and I do not see any reason why it should not be accepted by the Hon'ble Home Member. I hope the Hon'ble the Home Member will not raise the objection that if he were to accept this motion of the honourable mover he might be considered to be partial to the Muhammadans. Considering that the honourable mover has also included the Hindu festivals I think that there ought to be no hesitation on his part to accept it. If he does so, I am sure he will earn the gratitude of all the members present here and the gratitude of both the communities.

**Rai Bahadur Babu Vikramajit Singh:** Only some festivals of the Hindus are included, not all.

**Saiyid Habib-ullah:** I say all the festivals.

In this connexion I may be permitted to say, for the benefit of the Christian community, that if any of them happens to be in the jail at the time of Lent, when they are supposed to keep fast, they should also be exempted.

There is one other point which deserves the consideration of the Hon'ble the Home Member, and it is this. My idea is, I may be wrong, because, as I submitted yesterday, for the last fourteen years I have not been inside the jail—my idea is that the *jangia* which is given to the prisoners comes above the knee. For the Muhammadans it is absolutely necessary that we should say our prayers with our knees covered, and I think that two, three, or four inches more of the cloth will not make much difference in the expenditure. I hope this will be done.

With these remarks I support the motion of my honourable friend.

**Thakur Bikram Singh :** I give my whole-hearted support to the motion moved by my honourable friend from Allahabad. I am sure the motion will be acceptable to the Government. As far as I know Government has always allowed liberty in religious observances and functions in this country. As honourable members of the Council are aware I need hardly say that Government has not only stood for the freedom of religious observances, but has also patronized them to an extent. I, therefore, give my whole-hearted support to the resolution, and fully hope that the Hon'ble the Home Member will be kind enough to accept it and this kind acceptance of this motion, I am sure, would be highly appreciated by the Hindus as well as by the Muhammadans in the interest of their respective religions.

**Mr. R. L. Yorke :** The question of jail labour at the time of religious festivals has been under consideration by the Government. The general principle which has been followed has been that, as people outside the jails are not in the ordinary way exempted from labour for religious observances, no great relaxation in that direction can be given inside the jail. On the other hand, Government have provided facilities for the religious observance and prayer of all communities. In regard to the point raised by the honourable member for Jalaun provision is made for the supply of *tahmat* to those Muhammadan prisoners who are regular at prayer. I may add that the number of holidays in which no work at all is to be done has been increased during the last year, and provision has been made for that purpose in the recorded Jail Manual. Another and more important provision has also been made, and that is this. It has been laid down that, although in the ordinary way no change of labour is to be given on the ground of observance of fast in *Ramzan*, at the same time it is the specific duty of the medical officer to keep his eye carefully on those Muhammadan prisoners who are observing fast, and, if he should see that their health is affected, he is empowered to alter their labour and put them to a different form of labour. I may add that Government will consider the question whether it is possible to give any further relaxation.

One other point has been raised, and that is about non-official visitors. Non-official visitors are nominated by the Commissioner. But it is laid down in the Manual that ordinarily the members of the Legislative Council for the constituencies appertaining to the district in which the jail is situated shall be appointed if they are willing to serve. That is done in the ordinary way. If in any case it has not yet been done I think it is only a matter of drawing the attention of the officer concerned.

Another point raised was the question of surprise visits. It is clearly laid down in the Manual, and for the benefit of honourable members I shall read the rule. The rule provides as follows :—"The non-official visitors of every jail shall be at liberty to visit it at any time, provided that no visits should be made after the prisoners have been locked up in the night." The object of the Commissioner in providing the roster is not to make surprise visits impossible. It is for the advantage of the Government and the prisoners. The object of that provision is simply that there may be not less than one visit every month. I do not think that if honourable members will realize that fact there will be any objection to the roster.

**Mr. Zahur Ahmad :** I had already anticipated the reply which was given on behalf of the Government. Whenever a matter is to be shelved an answer of that kind is given. I know that on the medical officer's certificate a prisoner is allowed certain relaxation in his work. But what I want is that on days of fasting prisoners, whether Hindus or Muslims, should be exempt from hard work, irrespective of whether the medical officer certifies or not that their health is likely to suffer. I say, Sir, it is not humane to take hard labour from a prisoner who had nothing to eat or drink the whole day in the summer months, and I further request the Government with all the emphasis at my command to issue prompt instructions to the jail authorities that they might either themselves provide special diet and pure and clean water for *wazu* and bath to prisoners when they are keeping fast or allow their relations to deposit money for the purpose. Unless a satisfactory response or reply is forthcoming on behalf of the Government on these points I regret I am unable to withdraw the motion.

**The Hon'ble the President :** With what issue has the motion been moved?

**Mr. Zahur Ahmad :** The issue is that the Government should issue telegraphic instructions to the jail authorities to the effect, first, that hard labour should never be taken from such prisoners as keep fast; secondly, that special diet be provided to them either by the Government or through the relations of the prisoners concerned in the form of money for the purpose; and, thirdly, that arrangement for pure and clean water for *wazu* and daily bath be made.

**The Hon'ble Lient. Nawab Muhammad Ahmad Sa'id Khan :** There is nothing further from our minds than to shelve any proposal made by the honourable members of this House. What my honourable friend, the Deputy Secretary in the Judicial department, said was that the attention of the jail superintendents had been drawn to the fact that they should watch closely that the health of the prisoners who kept fast did not suffer. As to the rest of the suggestions, the Deputy Secretary said that they would receive our sympathetic consideration. The honourable members will, I hope, realize that it is not possible for us to undertake that as soon as any proposal is made in the Council we should issue orders at once by telegram. I do not think any executive Government can accept such position. After all, the responsibility is theirs. The only assurance that we can give is that we will consider the whole question and try to meet the wishes of the honourable members as far as possible.

**The Hon'ble the President :** The object of the motion having been made clear it is being put with that object.

*The motion was put and the Council divided as below :—*

Ayes, 53; Noes, 25.

*Ayes.*

Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. A. P. Dube.  
Pandit Bahas Bihari Tiwari. ...  
Babu Sampurnanand.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh. ...  
Pandit Nanak Chand.

Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Rushal Pal Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Rao Sahib Kunwar Sardar Singh.

*Ayes.*

Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Babu Kishori Prasad.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Rai Bahadur Chaudhri Jagannath Prasad  
 Rai Bahadur Babu Mohan Lal.  
 Mr. C. Y. Chintamani.  
 Mr. Zahur Ahmad.  
 Haji Abdul Qayum.  
 Maulvi Zahur-ud-din.

Saiyid Tufail Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Lieut. Nawab Jamsheer Ali Khan.  
 Hafiz Muhammad Ibrahim.  
 Lieut. Khan Bahadur Nawabzada Ablas  
 Sami Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan  
 Shaikh Abdullah.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Saiyid Jafar Husain.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Rai Bahadur Munshi Ambe Prasad.  
 Rai Bahadur Lala Mathura Prasad Mehrotra  
 Kunwar Bisheshwar Dayal Seth.  
 Raja Jagannath Baksh Singh.  
 Rai Bahadur Babu Vikramajit Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad  
 Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.

Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 B. D'O. Darley.  
 Mr. E. Ahmad Shah.  
 Babu Ram Charana.  
 Thakur Shiva Shankar Singh.  
 Mr. J. P. Srivastava.

**The Hon'ble the President :** The original motion was for a demand of Rs. 34,18,040. Since then reductions to the extent of Rs. 210 have been carried. The question before the house is that a sum of Rs 34,17,830 be voted.

*The net demand was voted.*

**Demand No. 17.****HEAD 41—CIVIL WORKS WORKS OUTLAY.**

**The Hon'ble Nawab Muhammad Yusuf:** I rise to communicate to the Council the recommendation of His Excellency the Governor that under head "41—Civil Works—Works Outlay" a sum of Rs. 47,69,099 be provided and move that this sum be voted.

This sum is composed of the following items :—

	Rs.
Reserved .....	1,60,479
Transferred .....	46,02,620
Refunds .....	6,000
<b>Total</b> .....	<b>47,69,099</b>



The honourable members will see that this figure does not represent the total expenditure on public works. The heads of departments now execute works up to Rs. 20,000 in their respective departments, and have control over them. The demand that I have the honour to put forward represents only such expenditure as is incurred on behalf of the other departments and maintenance and construction of roads. If the honourable members will turn to detailed estimates they will find that the departments that are directly under my charge are responsible only for an expenditure of Rs. 4,75,202 out of Rs. 9,20,426. The figure 4,75,202 is made up of the following items :—

			Rs.
No. 12-13	Chief Engineer's reserve ...	43,600	
No. 15—20	Metalled and unmetalled roads,	2,79,682	
No. 21—23	Boat bridges and ferries ...	1,48,020	
No. 24	Accommodation for travellers,	1,500	
No. 25	Miscellaneous ...	3,000	
Total ..			4,75,202

Turning to repairs on the reserved side I may point out that there is an expenditure of Rs. 1,07,315. This is the usual figure based on the actuals.

Coming to the transferred items. I may inform that we spend Rs. 1,87,685 on buildings and Rs. 33,30,829 on communications. These are also the usual expenditure based on actuals.

Now I would like to take this opportunity of informing the House about the activities and achievements of the department during the current year. In the year that is coming to a close we hope to finish 14 projects of buildings and communications. Among the more important items of buildings we have the addition of four rooms to the court of the Collector of Cawnpore, the residence of the Principal of the Textile School, Cawnpore, the extension of the Intermediate College at Moradabad, the Model Girls' School at Aligarh, the Science Laboratory of the Government High School of Sultanpur, and the Intermediate College at Lucknow. We hope to finish the two bridges between Lucknow and Cawnpore, the metalling of the Kedarnath-Ranikhet road, and the bridge over the Chambal river on the Agra-Gwalior road and also the quarry road in Mirzapur. We are also making good progress with some other important buildings such as the Muttra museum, Hygiene Institute, Lucknow, the Intermediate College, Allahabad, and the Record blocks in Shah-jahanpur tahsil.

Turning to communications, again I may inform the House that we have got the Mussoorie cart road in hand, and an important section of this road, namely, the Kulukhet-Bhatta section, will be completed this year. We have also taken the Rajpur road in hand, which is the lower portion of the Mussoorie cart road, and we hope that very soon we shall be able to complete that. We are also doing good work and making good progress on the Gonda-Bahraich road and Cawnpore-Etawah r

[The Hon'ble Nawab Muhammad Yusuf.]

and I hope in the near future we will be able to complete these roads. We have also taken in hand the Lachmanjhula suspension bridge, which is a bridge of all-India importance from the point of view of Hindu pilgrims. We have done good work on the Mirzapur boat bridge, and we hope that very soon this boat bridge will be ready for the convenience of the public, and Mirzapur will be connected with a grand trunk road which is of such vital importance to the town.

I should like to say a few words as to the paucity of funds in connexion with the maintenance of roads. Honourable members are aware that the floods of 1924 played great havoc with roads. The modern type of traffic, such as motor lorries and motor cars, have so disintegrated the roads that they are really beyond all repairs, and it was of vital importance in the interests of the communications of the province that we should have bestowed serious thought upon them, and should have embarked on a policy of reconstruction which only could meet the situation. With a view to reconstruct over 300 miles of roads we took up a scheme of construction costing about 1 crore 40½ lakhs. This scheme was taken in hand in 1925, and we are making very good progress with it. Later on, when I come to demand No. 60—Civil Works, I shall be able to deal with it at length; but at this stage I should like to emphasize the fact that the only way in which we could possibly solve the problem of improving the roads of these provinces was to take up this reconstruction scheme and also to have sufficient sums at our command with a view to repairing them. In connexion with the repairs I should also like to mention that we have not had enough money put at our disposal in spite of the fact that the floods had really done a lot of harm to the roads. The ravages of the monsoon have been great, and we never had adequate funds at our disposal to do the necessary repairs. In fact, we have always been short to the tune of somewhere between 4 to 5 lakhs every year under the head of repairs only. If we had this amount at our disposal we might have coped with the situation in the province. Owing to the financial stringency we have not been able to do all that we would have liked to do. I may also bring to the notice of this honourable House the fact that while other provinces, such as the Punjab, are spending Rs. 1,500 per mile over the repairs of the roads, we have been spending only about Rs. 779 in the past, and now we are attempting to spend a little more with a view to cope with the situation, that is to say, somewhere in the neighbourhood of Rs. 949 per mile. It is hardly necessary for me to emphasize the fact that, unless we have enough money at our disposal for the purpose of repairs, it will not be possible for us to restore the condition of these roads to its former standard, which is of such vital importance to the public. However, with this reconstruction scheme, and also with necessary funds at our disposal, we hope, at no distant date, to bring the level of these roads to a standard which is desired by all concerned. It is hardly necessary for me to labour the point further. The importance of communications cannot be exaggerated. If the agricultural, industrial, and economical problems are to be solved then we must look more and more to communications and improve them in the larger interests of the province. In fact, I shall not be using a hyperbolic language if I say that the whole progress of the province is closely bound up with the development and progress of the roads in this province. I hope that

the honourable members will realize the fact that the budget which I have the honour to present is a lean one. In fact, it is so attenuated that it does not admit of any reduction. Bearing this fact I hope the House will pass it without any hesitation.

**Pandit Iqbal Narayan Gurtu :** I beg to move a (substantive) reduction by Rs. 45,000 of item concerning "41—Civil works outlay" under sub-head "Reserved expenditure A and B, General administration, Buildings and repairs."

If honourable members will turn to page 6 of the Detailed estimates, they will find that under reserved head there are certain items 'buildings in progress' Rs. 50,000, 'repairs, ordinary and special' Rs. 1,07,358. Now this amount of Rs. 50,000 is, I understand, put at the disposal of the Government. This is meant for original buildings. I take it, it means that there are to be new constructions. I find that in previous years' budgets also large amounts have been demanded under this head. I am aware of the fact that there are Government Houses at Naini Tal, Allahabad and Lucknow; but it seems to me that if we go on spending Rs. 50,000 every year over new constructions, why, in the next ten years there will be hardly any room left for walking in the compound! These buildings are palatial, and they do not require an expenditure to the extent of Rs. 50,000 a year. I am further strengthened in this argument by going into the actual figures of expenditure under this head. I find that in the year 1923-24 the actual expenditure was only Rs. 10,953; in 1924-25 it was a little over Rs. 15,000; in 1925-26 it went up to Rs. 30,500. So it was only in 1925-26 that it went up to a little over Rs. 30,000. The revised of 1926-27 shows the figure as Rs. 34,700. I therefore propose, taking the figures of the last two years, which are higher figures, that the amount be reduced to Rs. 30,000. That will give us a saving of Rs. 20,000 under this head.

Then coming to repairs, what do we find? We find that the repairs of these three Government Houses cost as much as a lakh and seven thousand. Now this, again, is a very large amount. Here it is clearly a case of over-estimating, because we find every year there have been savings. It is, therefore, no use putting a figure which we know has never been reached.

In 1925-26 the actuals are 1,22, and in 1926-27 1,20; and this year the estimates are 1,07. Of course, apparently it seems that a lesser amount is demanded this year; but when you compare this figure with the expenditure on repairs of other buildings in these provinces it is then that you come to form a correct idea of the large amount that is spent under this head. If honourable members will turn to page 7 they will find that the total expenditure on repairs over other buildings in these provinces in 1925-26 was a little over two lakhs. So, while over all other buildings in the province there is only two lakhs spent, we find that on the three Government Houses we spent in 1925-26 as much as 1,22. There is only a difference of eighty thousand between expenditure over repairs of the three Government Houses and over the repairs of all other buildings throughout the provinces. In the same way if you compare these figures with the figures on page 7 you will necessarily come to the conclusion that the amount spent over repairs of these buildings is, indeed, very heavy. Therefore I suggest that we could conveniently make a cut of about 25 per cent. under this head.

[Pandit Iqbal Narayan Gurtu.]

Sir, it is not only a non-official member whom it strikes that our expenditure over repairs is very heavy, but even the financial adviser of the Government, the Auditor-General, has remarked on it. I am referring to page 39 of the report of the appropriation of accounts for 1925-26 the Auditor-General has pointed out that the percentage under ordinary repairs in the United Provinces is still the highest among the Governors' provinces in India. Under these circumstances, Sir, I think the Council will be well advised in making a reduction under this head, namely, repairs, to the extent of about 25 per cent.

Taking these two figures then that I have suggested, namely, a cut of Rs. 20,000 under 'original buildings' and a cut of Rs. 25,000 under 'repairs' I submit that the Council might very well reduce the amount by Rs. 45,000, so that we may be able to use this amount for some other useful purpose later on.

**The Hon'ble Sir Sam O'Donnell:** I will take first the question of original works. That is the term under which this expenditure of 50 thousand appears. Now, Sir, the first point I wish to make is that the limit of expenditure under this head is not fixed by the local Government, nor is it fixed by His Excellency the Governor; it is fixed by the Secretary of State on the basis of the actual needs of these three large Government residences as shown by past experience. Secondly, there is no branch of expenditure over which the control is so tight. Before expenditure can be incurred, not only must there be a sanctioned final estimate, but this estimate must be pre-audited by the audit officer and no allotment can be made unless it has been reported to the audit officer and he has given permission to start the work. Therefore the control over this expenditure is extraordinarily tight.

Now, Sir, the honourable member for the University is under the impression that the whole of the money expended went on what he called new constructions. As a matter of fact, that has not been so. This sum of money is intended to cover, no doubt, any improvements, additions and alterations, but it also covers special repairs, and last year out of the Rs. 34,700 that was spent Rs. 33,200 went on special repairs. I am informed by the Chief Engineer that there are still quite a number of urgent special repairs which are required for these large residences. It has not, therefore, been a case of putting up fresh structures every year as the honourable member supposes. Practically the whole of the expenditure went on special repairs.

Then, Sir, I come to the question of the grant for repairs. Now, Sir, that grant has to meet first the following items :—

		Rs.
Rates and taxes expenditure	...	11,771
Electric supply and current	...	21,585
Water charges, nearly	...	18,000

If you deduct these charges then the allotment for ordinary repairs comes to 2·1 on the capital value of the buildings. Now the ordinary allotment for residential buildings in these provinces is 1½ to 2 per cent. for ordinary residences; therefore an allotment of 2·1 for the

ordinary repairs of these large residences is far from being excessive. It agrees pretty closely with that allowed for other residences, and, as the expenditure under "original works" shows quite clearly, if money is not required it is not spent. There is absolutely nothing extravagant under these two heads.

**Mr. E. A. H. Blunt:** The honourable member pointed to the apparently great divergence between the figure of 1,00, for repairs of three Government Houses and that of 1,80, for the repairs of all the other buildings of the province. I should like to remind the Council that there are also very large allotments for repairs in all the departmental budgets. This sum of 1,80, shown here is not by any means for all the other buildings in the province; it is only for a comparatively small number of buildings which still remain in the direct charge of the Buildings and Roads branch, for instance, headquarters buildings like the Secretariat. If they will look, for instance, to head "General Administration" he will find a separate allotment, for repairs of revenue buildings, of nearly 1,90, and so on in every other department.

**Mr. C. Y. Chintamani:** The Hon'ble the Finance Member has told us of the extraordinary care that was taken to prevent needless or wasteful expenditure under this head. I daresay he is right, I am willing to believe that he has stated nothing but what is absolutely the fact; but it will do no harm for the Council to know one or two facts in connexion with this subject in order to appraise at its correct value what this extraordinary care amounts to. Honourable members would, no doubt, be having in their recollection the large additions, the extensive and costly additions, which were made to Government House in this city in the year 1920. If the cost of those additions and embellishments was anything under several lakhs of rupees I shall be very much surprised, indeed. Secondly, in the matter of the acquisition of properties in anticipation of probable needs of the Governor there are not wanting instances to show carelessness more than the extraordinary tightness and care of which the Hon'ble the Finance Member has told us. The Finance Member will very well recollect one instance at least to which I am going to refer. He will remember the purchase of Peake Allen's buildings in front of Government House at Lucknow. He will remember further that they were purchased not for the Camp Secretariat at Lucknow—that was an afterthought—but for the band and body-guard for the Governor.

**The Hon'ble Sir Sam O'Donnell:** In what year?

**Mr. C. Y. Chintamani:** At a time when there was no Governor. It was known that the Lieutenant-Governor was going to be a Governor, and because the Governor of the three presidencies were allowed such sort of privileges and concessions and rights, so it was assumed—it must have been assumed without any reference to higher authorities, for then the mistake would have been corrected—it was assumed that the future Governor of the United Provinces would be placed on the same level as the Governors of the three presidencies, and in that anticipation money was spent upon the acquisition of the building. I understand the higher authorities refused to make that concession to the Governor of the United Provinces and therefore the building was put to other uses. The Finance Member has told us all

[Mr C. Y. Chintamani.]

item of repairs includes, that is, electricity, water charges, payment of rates and taxes, and so on and so forth. It strikes me, Sir, that ordinarily the word 'repairs' would not have been used to cover all such charges as payments of rates and water charges, electric-fitting charges and electricity charges, and so on unless the Government intended to convey by the use of the word 'repairs' something more than what the dictionary tells us the word does mean, and since the Hon'ble the Home Member advised my honourable friend here in January to consult the dictionary in order to know the meaning of the word 'rascality' we on this side have been careful to study the dictionary meanings of these terms used in official publications. If the word 'repairs' means all the things which the Finance Member has just now mentioned I will only advise him respectfully to revise the terminology of these publications. Is the condition of the Government House at Naini Tal, at Lucknow, and at Allahabad such that every year these large sums have to be spent upon repairs? The Finance Member has been told by the Chief Engineer that urgent repairs are required and money is wanted, and, as the Chief Engineer is the expert adviser of the Government, and as we know that the Government are notoriously at the mercy of their expert advisers, I daresay there, again, we have to attach some weight on that statement; but no one who visits these places would come away with the impression that they are in such a dilapidated condition that this large sum of money has to be provided by an impecunious Government which has even cut down the education expenditure by 8 lakhs, as the present budget shows, in order to repair these buildings. I think, for the reasons I have stated in continuation of those which have been urged by the honourable mover, the Council will do well not to attach an exaggerated or excessive weight to what it has been told by the Finance Member and the Finance Secretary.

**The Hon'ble Nawab Muhammad Yusuf:** Ordinarily I would not have taken part in this debate, but as a point has been raised by my friend Mr. Chintamani that all this expenditure should not have been shown under 'repairs' I wish to say a few words. It is really so, and I admit that it should not have been shown under that head. Probably it is a misnomer to call it 'repairs.' Let us look at the actual expenditure that has been incurred on the Lucknow Government House in 1926-27. I take the Lucknow Government House first. Rupees 19,269 are for repairs. Rupees 6,200 are for current charges and Rs. 7,736 for rates and taxes; Rs. 2,543, extension of pumping plant, Rs. 1,752, conservancy Rs. 1,500, the total coming to about Rs. 40,000. I do not wish to give the small details of the Government House, Naini Tal; but the big items are electric light, Rs. 8,649, taxes, municipal, Rs. 5,303, maintenance of grounds Rs. 5,315, excess water-rate, sanitary charges Rs. 3,900, supply of fuel Rs. 1,632, sanitary and hot water installation Rs. 1,500; ordinary repairs to Government House, Naini Tal, main building, Rs. 9,800 and various other items, which I need not mention. The total comes to as much as Rs. 54,410. The same is the case with the Government House at Allahabad, and the total comes to Rs. 1,07,000 and odd. So honourable members will see that this is based on actual expenditure incurred. It is not that we do not require it; we do require it badly. It seems to me, bearing these facts in mind, that this expenditure has never been cut. I hope the House will see that the demand is passed?

**Pandit Iqbal Narayan Gurtu :** I understand that amounts for rates and taxes have actually been put under the head of 'repairs'. The honourable member for Partabgarh has already shown how there is inexactitude in the terminology used—for rates and taxes the word repairs has been used. There was another inexactitude. If I could understand the Hon'ble the Finance Member correctly he said that under original buildings a large amount of money had to be spent for special repairs. So that there is another inexactitude. While under repairs rates and taxes are included, special repairs are included under original buildings. There is another thing to be noticed. There are two heads under repairs, 'ordinary' and 'special'. Under these circumstances one is surprised to find the Hon'ble Finance Member arguing that special repairs had to be paid from the head original buildings. Then, Sir, the Hon'ble Minister for Local Self-Government came to the rescue of the Finance Member, and he recited a long list of expenditure showing that all these amounts have to be paid out of the head repairs. Now, Sir, so far as rates and taxes go, may I draw the attention of Government to certain items which we have already sanctioned under general administration, when we were dealing with the budget for the head of the province? There is a special head—'Supplies and Services.' We have already granted Rs. 32,940 for maintenance charges. The details are on page 11, non-contract contingencies 22,000, contract allowance Rs. 13,400. My submission is that rates and taxes could be met from any of these heads. Therefore I say it is not necessary for us to grant Rs. 50,000 under the head original buildings. Then the Hon'ble Finance Member argued that it was the Secretary of State who fixed the amount, and the amount was fixed at Rs. 50,000. I find that that is not so. The amount fixed for the year 1921-22 was Rs. 45,000. In 1922-23 it was Rs. 25,000, in 1923-24 it was, of course, Rs. 50,000, in 1924-25 it was Rs. 30,000, in 1925-26 it was Rs. 30,000. What becomes then of the argument that every year Rs. 50,000 is laid down as the amount which we must give under the head?

**The Hon'ble Sir Sam O'Donnell :** I said nothing of the sort. I said the limit of expenditure was Rs. 50,000. That is quite a different matter.

**Pandit Iqbal Narayan Gurtu :** So we are within our rights to consider the limit, whether it is necessary for us to give the maximum or to reduce the amount. I have placed sufficient facts before the honourable members to come to a clear conclusion on that point. It seems to me we can very well, without causing any inconvenience to His Excellency, cut out Rs. 20,000 under original buildings and Rs. 25,000 under repairs.

The Hon'ble Sir Sam O'Donnell rose to speak.

**Mr. C. Y. Chintamani :** I rise to a point of order. Has the Finance Member the right to rise after the mover has replied?

**The Hon'ble the President :** Why not?

**Mr. C. Y. Chintamani :** He is not the member in charge, the answer has been presented by the Hon'ble Minister.

**The Hon'ble Sir Sam O'Donnell :** The Minister presents the demand as a matter of convenience, just as under education the demand is presented by the Hon'ble Minister, though the head includes European education, which is a reserved subject.

**The Hon'ble the President :** This expenditure is actually classified as reserved. Is the Finance Member in charge of it ?

**The Hon'ble Sir Sam O'Donnell :** It is under item six of the list of subjects transferred.

**The Hon'ble the President :** The point raised is that there are two heads of expenditure given under expenditure on public works, reserved and transferred. I take it the point of order relates to reserved expenditure not to transferred expenditure, which, if I know the devolution rules aright, is under the Minister in charge. We have heard from the Leader of the House that he is in charge as Finance Member of reserved expenditure. As to domestic arrangements between the various members of Government as to who is to present the demands, the Chair has nothing to do with that. Those arrangements are behind the scenes. As far as the Chair is concerned, one member presents the demand to suit the convenience of another. That has been the practice for a long time, and I see no objection to the Finance Member replying to points in connexion with reserved expenditure under this head.

**The Hon'ble Sir Sam O'Donnell :** The honourable member for Partabgarh referred to expenditure incurred upon Government Houses in 1920. I am not concerned with that expenditure in any way, but I desire to point out that the new rules to which I referred, which impose a very strict control over expenditure on original works, were made subsequently. Then, Sir, he took exception to the fact that maintenance charges for electric-light, rates and taxes, and other charges were shown under the head repairs. I quite agree that this was a terminological inexactitude. It has been the custom to show such charges under repairs. Now that the point has been raised, in future we will alter the heading and show them under maintenance. The substantial matter is that these charges do come out of this allotment, and, when they have been deducted, the repair allotment is practically the same as for other residences in the province. He said that nobody who visited the Government Houses in Naini Tal, Lucknow, and Allahabad would suppose that they were in a dilapidated condition. Who suggested that they were ? There may quite well be special repairs necessary to the extent of Rs. 11,000 on each of these very large residences with attached buildings without the Government House being in a dilapidated condition. Then, Sir, the honourable member for the University has referred to variations of expenditure. There have been variations of expenditure. What do these variations show ? They show that if this money is not required it is not spent. The expenditure under original works was a few years ago less than what it is at present. That is due to the fact that as time goes on special repairs become necessary. The fact that less money is spent shows not that there is extravagance, but that there is economy.

**The Hon'ble the President :** The question is that the item of demand for reserved expenditure under Civil Works be reduced by Rs. 45,000.



*The motion was put and the Council divided as below :—*

*Ayes, 29; Noes, 55.*

*Ayes.*

Mr. A. P. Duba.  
Pandit Rahas Bibari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Pandit Nanak Chand.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Salho Singh.  
Pandit Prijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.

Pandit Deota Prasad.  
Babu Kavendra Narayan Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Harumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Hafiz Muhammad Ibrahim.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. B. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliot.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darkey.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. C. Desanges.  
Mr. E. Ahmad Shah.  
Thakur Bikram Singh.  
Raja Khushal Pal Singh.  
Rao Sahib Kunwar Sardar Singh.

Rai Bahadur Babu Abhinandan Prasad.  
Raja Indrajit Pratap Bahadur Sahi.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surender Pratap Sahi.  
Mr. Zahur Ahmad.  
Haji Abdnl Qayum.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Lieut. Nawab Jamsheer Ali Khan.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Shaikh Abdullah.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Shaikh Ghulam Husain.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Raja Shambhu Dayal.  
Kunwar Bisheshwar Dayal Seth.  
Mr. E. M. Souter.  
Mr. J. P. Srivastava.

After the voting papers had been collected and before they were counted, Raja Ahmed Ali Khan Alvi entered the Chamber and proceeded to the Secretary's table to record his vote.

**Raja Jagannath Bakhsh Singh :** May I point out, Sir, that the door was opened for the Raja Sahib of Salempur. Is that permissible?

**The Hon'ble the President :** I did not notice that.

**Mr. C. Y. Chintamani :** Yes, Sir. He has just gone to vote after the voting papers had been collected. The door should remain closed until the result of the division is announced.

**The Hon'ble the President :** We have no lobby system here, but a similar incident happened in the House of Commons when certain stragglers remained behind in the lobby and subsequently insisted on their right to vote. The speaker allowed them to vote before the

[The Hon'ble the President.]

claimed the right to vote before the result was announced. This incident will be, however, a lesson to those who decide to stay behind. Since the votes here have not been counted, I do not see why I should not allow the Raja of Salempur the right to give his vote which he claims.

**Rai Bahadur Thakur Hanuman Singh :** I beg to move a token reduction of Rs. 1,001 under sub-head "D—Total, general administration."

In support of this motion I am not going to make a long speech. My intention in putting this motion forward is to bring to the notice of the Government the standing grievance of deputy collectors in connexion with their residential quarters. It is a crying need, and the grievance is of long standing. This question has been brought to the notice of Government, but they have not been pleased to take it into their serious consideration. The deputy collectors, I think to the extent of 33 per cent., are living in houses which are insanitary, incommodious and uncomfortable. If the Government desire that they should keep their health and do the work entrusted to them and at the same time maintain the dignity of their position, then it is incumbent on Government to take upon itself the construction of buildings for their residence. Had this been the condition of members of the Imperial Civil Services, Government would have spent money on their residential quarters before spending on any other project. But the question of the construction of quarters for deputy collectors is being neglected. In this connexion I would say, Sir, that the Government has provided money for the construction of police buildings and for the residences of thanadars and inspectors. But the Government have not done so in the case of deputy collectors. In the case of deputy collectors, if the Government is pleased to borrow money and invest it in building houses for them, then it will be a productive concern and the deputy collectors will in the shape of rent pay interest on the outlay. I therefore hope Government will do justice to these deputy collectors and provide quarters for them in sufficient numbers.

*During the above speech the Deputy President took the Chair.*

**The Hon'ble Sir Sam O'Donnell :** I quite agree with the honourable member that there are a number of districts in which houses or quarters for deputy collectors are required. The other day I pointed out that we had a programme of Rs. 68,00,000 for buildings in the revenue department. That programme includes provision for houses and quarters for a number of deputy collectors. Unfortunately we have not been able so far to provide any portion of that sum of Rs. 68,00,000. We have provided money for police buildings, because, although buildings are required for deputy collectors and in other departments, the need of the police department is special and imperative.

**Khan Bahadur Maulvi Fasih-ud-din :** May I know what amount of money has been set apart for building houses for deputy collectors?

**The Hon'ble Sir Sam O'Donnell :** No money has been allotted yet. The programme amounts to about Rs. 68,00,000. I could not say from memory what is the sum for these quarters included in that total; Mr. Pim knows it and can tell the honourable member afterwards.

**Rai Bahadur Thakur Hanuman Singh :** After hearing the Hon'ble the Finance Member I think the question is engaging the attention of the Government. I have nothing more to say except to request the Hon'ble the Finance Member to give his best consideration to this question and remove the difficulties which are faced by the members of the provincial executive service. With these remarks I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Thakur Manjit Singh Rathor :** I beg to move a (token) reduction of Rs. 1,000 under sub-head "D—Buildings—(8) (Public health)".

The object of my motion is to bring to the notice of the Government the question of a grant of a sum of about Rs. 35,000 to the municipality of Dehra Dun with a view to enable the municipality to construct a water-softening plant. As honourable members are aware, every municipality is called upon to send regular samples of water for chemical and bacteriological examination to the Public Health Institute and the municipality of Dehra Dun also sends regular samples of water for examination. I find from the report of the Public Health department for the year that a considerable amount of routine work was carried on in the laboratory of the Provincial Hygiene Institute which mainly consisted of chemical and bacteriological examination of water samples received from the municipalities of Dehra Dun, Lucknow and Mussoorie. As the honourable members are aware, the first question on the first day of the third Reformed Council related to the subject of a water-softening plant for Dehra Dun. Before that my district had the privilege of a visit from the Hon'ble Minister for Local Self-Government, and I am quite sure that he now realizes the importance of the point I am stressing here today in the Council. If honourable members will look at the figures of water consumption regarding the various municipalities, they will be convinced of the urgency of my request. In the municipality of Meerut, the water consumed per head per day is 12·9 gallons, in Mussoorie 22·2, in Muttra 22·5, in Allahabad 23·1, in Agra 24·6, in Cawnpore 30·9, in Lucknow 19·3, and in Benares 31·5, but in the Dehra Dun municipality the water consumed comes to 6·1 per head per day. These statistics will show how unfavourably our district compares with others in the matter of water consumption. The supply of water being so scanty, the health of the town suffers. We have lately spent two lakhs of rupees over the Baldi water scheme, but unfortunately the quality of that water is bad. On this subject a resolution was passed by the Public Works Committee of the Dehra Dun municipal board on March 24 under the presidency of Captain P. P. Tobit, I.M.S. It was moved by Mr. S.D' Gama, seconded by myself and supported by Capt. C. George and was unanimously carried. It was resolved that the United Provinces Government be requested to grant an initial amount of money for the erection of a water-softening plant in the municipality of Dehra Dun with a view to improving the quality of the Baldi water which has been found to be unsatisfactory and has given cause to the general public for great complaint. It is further stated that until the quality of the Baldi water is improved, the hardship caused during the summer on account of the scarcity of water will not be materially relieved. With these few words I commend my motion to the acceptance of the House.

**The Hon'ble Nawab Muhammad Yusuf :** I am fully alive to the need of a water-softening plant in the Dehra Dun municipality. I visited Dehra Dun some time ago, as the honourable member pointed out. I know to

[The Hon'ble Nawab Muhammad Yusuf.]

what great discomfort and inconvenience the people of that locality are subject. I wish to assure the honourable member that the representation which I have received from Dehra Dun will receive my sympathetic consideration. I hope I shall be able to provide money for the purpose in the near future.

**Thakur Manjit Singh Rathor:** In view of the assurance given by Hon'ble Minister that provision will be made in the supplementary estimates early next month, I beg leave of the Council to withdraw my motion.

*The motion was, by leave of the Council, withdrawn.*

**Thakur Manjit Singh Rathor:** I beg to move a token reduction of Rs. 101 under sub-head "E—Communications (1) roads". I move this motion to bring to the notice of the House the question of the Mussoorie motor road which is of very great importance and which is agitating the minds of the people not only of Mussoorie but of the whole province. I may even say without any exaggeration that this question is agitating the minds of the people of the whole country. The importance of Mussoorie as a hill station is unquestionable. Simla has got a railway line right up to the city, and so is the case with Darjeeling. Naini Tal, the summer headquarters of the Government, has got a good motor road. Mouna Abu has got a good road. It is only Mussoorie which has not got a motor road yet, although it is known as the queen of the hill stations. My friend here tells me that it is a widowed queen. I do not know which expression is the most appropriate, but, considering the fact that the Government is not paying proper attention to Mussoorie, the expression suggested by my friend seems to be appropriate.

In reply to my questions in 1924 the Government were pleased to say that out of 15 miles about 9½ miles of road were completed in 1921. Now the honourable members will see that during the last six years the remaining 5½ miles of road have not been completed. This does not reflect credit on the department. I realize that their hands have been full and they have had schemes of expansion of communications all over the province. But still I submit that Mussoorie has been neglected and this small road should be completed. Out of the total expenditure of about 10 lakhs required for the construction of the Mussoorie road, most of the money has already been spent. It is now only about Rs. 1,20,000 which is required to complete the road, and I hope the Government will provide this money at an early date.

The Hon'ble Minister of Local Self-Government was pleased to visit Mussoorie also when he paid a visit to Dehra Dun. Many persons waited on deputation upon him and he was pleased to give a sympathetic reply. We want that sympathy to materialize as early as possible. Now that the Dehra Dun-Mussoorie Electric Tramway Company has gone into liquidation and there is no prospect of the tramway line being constructed in the near future, it is high time that the Government should meet our demand. I had much to say, but I bring my remarks to a close as we are now pressed for time.

**Rai Bahadur Babu Mohan Lal:** I would request the Hon'ble Minister of Local Self-Government to visit Hardoi, going from Lucknow via

Malihabad. If he does so, he will be able to know the deplorable condition of the road from Lucknow to Hardoi. Ever since this road was constructed it has never been repaired. At some places there are big holes and cuts and at others there are trees on the road itself, and thus the road has become absolutely impassable. Some time ago when His Excellency went to Hardoi, we presented him with an address and requested him to take this road into consideration. He was graciously pleased to give a hope to us that it would be paid attention to. But I am sorry to find that we have heard nothing about it. I wrote to Mr. Tillard the other day inquiring what action Government are going to take in regard to this road, and was told that this road had been brought on the scheme of the Board of Communications; but he was unable to say when any step was going to be taken in regard to metalling it. I would point out that Hardoi is the only district in the whole province of Oudh where there is no provincial road, although it has a big grain market and lies on the main line of the Oudh and Rohilkhand Railway, and there is a trade in cotton on an extensive scale and it is a big mercantile town, no attention has yet been paid by Government in regard to giving this district at least one provincial road. I would like to know if there is any other district in Oudh in which there is no provincial road. If the Lucknow-Shahjahanpur road is metalled, which is only 64 miles, it will cost at the outside between 2 to 3 lakhs, and the result will be that we will be connecting Lucknow *via* Hardoi with Shahjahanpur and from Shahjahanpur to Bareilly and the whole of the Kumaun division. We have, with the agency of the district board, already constructed some miles of road from Shahjahanpur to Shahabad. The only portion that requires to be metalled is between Shahabad and Malihabad. To Malihabad 15 miles of road is already metalled and only about 64 miles of road require metalling. If the Hon'ble Minister will kindly take into serious consideration our real grievances, I hope that they will be redressed.

**Dr. Shafa'at Ahmad Khan:** I would like to draw the attention of Government to the condition of the Moradabad roads. The roads in Moradabad are now well known to me owing to my election activities of 1926. The condition of the provincial road that runs from Bareilly to Meerut is much worse. The road between Moradabad and Amroha is in a very bad condition. When I motored from Moradabad to Amroha, I found that it was very difficult to motor at certain places. In the rainy season it is sometimes difficult to motor on that road. Indeed, it looks like a long river flowing turbulently through green meadows and leafy boughs of the countryside. That road used to be one of the best roads in the Rohilkhand division. This is as regards provincial roads. Now take the other road from Moradabad to Sambhal. It is about 22 miles long. I believe that it is a district board road. That road is also in a very bad condition. Again, I would like to draw the attention of the Government to the need for the construction of two metalled roads between Amroha and at Naogaon Sadat. Naogaon Sadat is a very small but a respectable townlet near Amroha. I have been putting a series of questions upon the need for the construction of a metalled road between the two places, but the Government have invariably replied that they are considering the matter. The other point to which I would like to draw attention is the need for the construction of a road between Moradabad and Pipalsana. I am sorry

[Dr. Shafa'at Ahmad Khan.]

to trouble the Council with the names of these places, but their needs are so urgent that I am obliged to mention them here. I must have put about thirty questions during the last three years on these roads, but Mr. Verrières, the predecessor of Mr. Tillard, replied in a manner that is familiar to us. The Government shifted all responsibility from their shoulders and quietly replied that the matter concerned the district boards and with this they had no concern. I hope, however, this time the Government will make an inquiry into it, and if they find that the complaint is justified, I hope they will move in the matter and help the district board in metalling the road between Pipalsana and Moradabad. Having dealt with this question I will now go on with the road reconstruction programme. As a member of the Board of Communications for the last three years, I have had some experience of the need for the reconstruction of roads in these provinces. A number of applications come up before the Board, a very large number of them are discussed very seriously, but the Board contents itself with passing resolutions regarding the urgency of a particular road. Beyond that it has not gone, and beyond that it cannot go, for the simple reason that it has not got any money for the purpose of constructing any road at all. This task ends with making recommendations to the Government. As regards reconstruction programme, I put a series of questions about a month ago with regard to the progress made by the Government, and I find that the Government has so far completed altogether 17 miles of road in their road reconstruction programme, and the cost of these 17 miles amounts to Rs. 11,10,287. I should like to point out that the claims of a number of important districts have been overlooked in this programme. Take, for instance, the case of Moradabad, which is included in construction programme. For the Moradabad district there is a provision of only four miles and three furlongs. If you compare this with Cawnpore you will find that the mileage of road to be constructed there is 72. Compare the four miles for Moradabad with the 72 miles for Cawnpore. Now that seems to me a typical example of favouritism. The Government has got its own favourite cities, Lucknow, for instance, and Cawnpore. Allahabad of course is the widowed capital. Now the cost of reconstruction of roads in Cawnpore will come to 20 lakhs, while in Moradabad the cost will come only to Rs. 1,40,844. So you can compare the relative amount that is going to be spent on the two districts. It is not my desire to match one district or one division against another. I think it will be a very sad day if we started all these rivalries between different districts and different divisions, but I really must say that, so far as the Rohilkhand division is concerned, the claims of that division have been ignored.

— let me take the question of the roads that are in progress. the roads that are in progress at the present time amount that is going to be spent is Rs. 43,20,932. n given by the Government is to the effect art 65 miles of road later on, on which the 3,011. That is so far as the reconstruction l. I will now take the programme of the Board the Board of Communications draws up a pro- bridges and in the programme the roads that are

urgent are given preference and are indicated as such. In the programme of provincial roads and bridges published by the Board of Communications you find that the total amount of roads and bridges, if completed, will cost a very large amount indeed. It will cost, I think, altogether about a crore of rupees, but that is only a drop in the ocean, because the claims of the whole province, so far as the question of roads is concerned, are wide. The total amount of roads metalled in these provinces is 4,500 miles, while if we want to construct more roads it is quite evident that we will have to make, to construct, at least 2,000 to 3,000 miles of roads more. The amount to be spent upon it can be calculated very easily. I am of the opinion that the question of road reconstruction should be decided after consultation with the district boards. This brings me to my third point. My third point is this, that in construction of the programme of reconstruction of roads we ought to have consulted the Board of Communications. I raised this point at a meeting of the Board of Communications in 1925. I said that the Chief Engineer should have consulted the Board of Communications; and when the point was raised, the programme was given to us. I submit that the programme ought to have been submitted before it had been sanctioned by the department.

The next question is the principle upon which the grant is to be given to the district boards. That, Sir, is a very important matter, a matter which cannot be decided apart from the consideration of the principle upon which a grant for various purposes is to be given. Take the question of the grant for education, for roads, and the grant for rural sanitation; for these purposes I should like to ask the Government if they have got any programme. Have they got any policy regarding the question of grant to the district boards for these purposes? Upon what plan are they going to work this programme out, and upon what basis are they going to carry their recommendations regarding the construction and reconstruction of roads into effect. Have they considered the possibility of appointing a committee that could go into the whole question of local taxation? Do they contemplate inquiry into the methods whereby the competing claim of communications, sanitation and education could be decided? Is it not necessary to investigate the interesting, though complex, question of grants-in-aid for these objects? Should we not decide what ratio education, sanitation and communication should bear to one another? I am inclined to think that a thorough, sifting, searching and exhaustive inquiry into this is absolutely necessary, and I would most strongly press the Government to appoint a committee to investigate this without delay.

**Babu Bhagwati Sahai Bedar :** I think the first road that was constructed in India was in the Sathjug, and that was by an engineer named Vishwakarma. Since then Dwappar saw two roads, one leading to Hardwar and another to Rishikesh. Now I find that this story will take long, and if I am going to repeat the whole story of roads up to the present day it will take full five hours, and since there are only 50 minutes left when the whole budget will be guillotined, I will refrain from doing so. I do not like that all this road reconstruction business should be dealt with only by me and no other member be allowed to speak on it. Again, since roads in these provinces are in a very bad condition and every honourable member is likely to plead the

[Babu Bhagwati Sahai Bedar.]

the roads of his constituency, unmindful that there are very important motions yet to be discussed, I on behalf of the whole province request the Government to metal all these roads at once and remove the grievance of all of us.

**Thakur Hukum Singh :**

अगर्च मेरे लायक दास्त डिस्ट्रिक्ट बेदार ने अभी तमाम सड़कों के वास्ते कह दिया है। लेकिन खैर, मथुरा के मुताबिक मुझे थोड़ी सी ज़रूर अर्ज करनी है। मैं ज़्यादा वक्त न लूंगा। दो तीन मिनट के अन्दर ही अपनी अर्ज ख़तम कर दूंगा। मेरी अर्ज यह है कि आप सब साहबान जानते हैं कि मथुरा एक all India तीर्थ स्थानों में से है। मथुरा से एक सड़क गोवरधन को जाती है। दूसरी सड़क विन्दावन को जाती है और तीसरी सड़क बलदेव को जाती है। District Board बावजूद छे महीने एक साल दो साल तीन साल में मरम्मत कराती रहती है मगर यह सड़कें टूटती ही रहती हैं। मेरी यह दरखास्त है कि यदि यह सड़कें provincial करार दे दी जाय तो बहुत मुनासिब होगा। यात्रियों को बड़ा आराम मिलेगा और District Board अपना रुपया जो इन सड़कों के लिए खर्च करती है वह बच जायगा और ऐसे बचे हुए रुपये को वह किसी दूसरे मुफ़ीद काम और सड़कों में खर्च कर सकता है। एक और दिक्कत हमारे ज़िले में यात्रियों को होती है वह यह है कि एक सड़क गोवरधन से बरसाना को जाती है जिस पर लाखों की तादाद में आदमी मेला वगैरह के मौकों पर आते जाते हैं जिनको उस सड़क पर चलने से सख्त तकलीफ़ होती है क्योंकि वह सड़क कच्ची है अगर Government मेहरबानी करके उसको पक्की बनवा दे तो यात्रियों की तकलीफ़ दूर हो जाय। मुझे ज़्यादा अर्ज करनी नहीं है। यही मेरी अर्ज है कि Government इसको पक्की करा दे और तीनों सड़कें जो ऊपर बतलाई हैं उन्हें प्रेविन्शल कर दे तो यात्री इत्यादि उन पर ब आराम आ जा सकें।

**Raja Kushalpal Singh :** I should like to draw the attention of the Government to some of the urgent needs of the Agra district in the matter of communications. The Agra-Kagharol-Tantpur road is the first and foremost need. It will pass through the tract which has been a constant scene of dacoities. Mr. Young has been deputed there to suppress dacoities.

**Pandit Nanak Chand :** A point of order, Sir. What have dacoities to do with Public Works ?

**The Deputy President :** He is talking of the Agra-Kagharol-Tantpur road which probably the honourable member thinks is too bad even for dacoits.

**Raja Kushalpal Singh :** Want of communication from Agra is responsible to some extent for the prevalence of dacoities in that remote tract. The roads, or rather tracks, which lead to Tantpur are in a deplorably bad state and impassable at many places. In Tantpur there are important stone quarries from which a large quantity of building stone is extracted and exported, but the trade is diverted to Dholpur for want of a pakka road. So far back as 1907 the honourable member for the Jhansi division urged on Government the necessity of metalling



this road. Since then every Collector of the district has recognized the necessity of metalling this road.

There is another road which is also necessary. I mean the road from Bah to Batesar. A large amount of traffic passes along this road during the Batesar fair, and if this road is metalled, Batesar will be connected with the through metalled road which runs from Agra to Etawah.

**Khan Bahadur Mr. Masud-ul-Hasan :** Since the question of roads is under discussion and it has become the practice of this House that every speaker should speak for the roads near about his home, it is my duty, though I do not represent any special constituency and I do not stand in need of the voters to have easy communications to the polling stations, I find it necessary that I must ask for a very good road which would pass through my home, that is, Bachhraon. The place is visited by H.E. the Viceroy, by H.E. the Commander-in-Chief and by His Excellency the Governor of these provinces when they go there for the Kadir Cup. The place was once visited by His Royal Highness the Prince of Wales also, and I am very sorry to say that in spite of our efforts we could not get a pakka road on which His Royal Highness could drive with ease and comfort. However, this is a question which I leave entirely to the good sense of the House to decide. One thing struck me while this matter was under discussion. If we have good pakka roads throughout the country, as was suggested by my friend Mr. Bedar, I want to know whether we would not be inviting the Western evils to the distant villages in the country. However, I am glad to note that today Mr. Bedar is asking for the construction of roads and for easy communications and thereby inviting to those places the Western civilization which a few years ago men of his views used to avoid so much.

Now there is one thing to which I would seriously invite the attention of the Hon'ble Minister, and it is this that there are provincial roads and there are roads which are under the management of the municipalities and district boards. Let us see whether the condition of the roads that are under the management of the Government is better or worse than those that are under the management of the boards. I think the House will bear me out that ever since roads have been transferred to the management of the district boards, their condition has gone from bad to worse.

**Lieut. Raja Durga Narayan Singh :** Question.

**Khan Bahadur Mr. Masud ul-Hasan :** The question is a question of observation. If you will see you will find out for yourself whether some of the roads can be called roads or they are really kachcha ruts where no carriage can conveniently pass. It is very well always to make allowance for the management of local bodies, but I think if the local bodies have not properly discharged their duty, it is the duty of this House to bring their defects to the notice of the Government and to see that the local bodies do discharge their functions properly. The present condition of the roads under the management of district boards is not only due to their mismanagement, but the fact is that when these roads were transferred to local bodies, they were already in a bad condition. The other thing is that at that time the local bodies were suffering from want of funds and up till now no improvement is made in that direction. The third thing is that their supervision has been defective. T<sup>1</sup>

[Khan Bahadur Mr. Masud-ul-Hasan.]

could at least have employed experts who could properly supervise these roads. I wonder whether all the boards have got expert advisers or not. There is one thing more which I have come to know and the like complaints the honourable members may have heard from various parts of the province. I would like to bring that matter to the notice of the House with a view of having some sort of improvement in the matter. When contracts for these roads are given and when material for these roads is purchased, a lot of favouritism is shown to contractors for the reasons that I need not mention now.

**Babu Bhagwati Sahai Bedar :** A point of order, Sir. Is the honourable member in order in discussing the roads under district boards here? They must come under demand No. 26.

**Khan Bahadur Mr. Masud-ul-Hasan :** I am comparing the roads under the management of district boards with those under the management of the Government.

**The Deputy President :** He is evidently making out a case for the transfer of the roads from under the management of the district boards to provincial roads. He is perfectly in order.

**Khan Bahadur Mr. Masud-ul-Hasan :** Under these circumstances you cannot expect good roads and easy communications from the various places to the centre of the district or from the centre of the district to the centre of the division or from the centre of the division to the capital of the province. Unless some suitable arrangement is made by the Government for the construction of these roads, you cannot have good roads and easy communications to the various places. Therefore my submission is that the Local Government would do well if they either form a committee or on their own account formulate a scheme under which they should in future take up the construction of important roads. Unless this is done, I am afraid the inconvenience to the public cannot be removed. Supposing the Government only takes up the working and preparation of those roads that are already under their management, still there will be left a large number of roads which are as useful to the public as the Government roads and the trouble will not be removed. In that case you will have to travel halfway on a good road, and again it may happen you will have to go along a bad road. Therefore it is absolutely necessary that without any more delay some sort of arrangement should be made and the roads in future should be constructed under proper supervision.

Coming to the construction programme of the Government, my submission is that, as has been pointed out by my friend Dr. Shafa'at Ahmad Khan, every district ought to get a fair quota of Government grant according to its needs. It is not fair that a few districts and towns should always get on ahead in this respect with the help of the Government and others should get little or no help. Therefore in future I hope the Minister in charge of this department will give favourable consideration to this complaint. On the whole I find that the road construction programme that has been taken up now by the Government is better than what it was a few years ago, and I hope, if they go on making this progress, there may be time when this complaint about the roads will to a large extent disappear. This is, after all, a very big programme involving a huge expenditure. Bad roads cannot be made

good in a day or a year. The programme will probably have to go on for years. I think that after the expression of our opinion in this House the honourable mover will be good enough to withdraw his motion.

**Raja Indrajit Pratap Bahadur Sahi:** At this late hour, Sir, I do not wish to go much into detail, nor do I wish to make any fresh suggestion. What I wish to say is about the Government grant for the Kasia-Padrauna road. Some years ago Government undertook to give a grant for this road. The district board could not spare a large amount, and the Government have from time to time promised to pay a substantial amount, provided the district board also bears its own share. For some time the district board could not unfortunately decide the question, but last year or the year before last they ultimately came to the conclusion that if the Government gave a substantial amount the district board would also be prepared to give its share. The district board wanted a promise from the Government to that effect. The road is very important for it leads to one important centre of the district.

The traffic is also enormous. Most of the trade passes along that road and its condition at present is deplorable and absolutely hopeless for motor-cars or any vehicular traffic. I, therefore, hope the Hon'ble Minister will kindly see his way to pay that amount to the district board this year.

*During this speech the Hon'ble the President resumed the Chair.*

**Raja Shambhu Dayal:**

میں بیمار ہوں مجھے کو موقع دیا جاوے کہ میں کچھ بول کر گھر جاؤں \*

پریسڈنٹ صاحب - آپ کو دوسرا موقع دیا جاویگا \*

راجہ شمبھو دیال صاحب - ہلا نقار خانہ میں طوطی کی آواز کون سنیکا - کونسل میں اگر کوئی ضروری سے ضروری تجویز دیسی زبان میں پیش کی جاتی ہی تو وہ کبھی قابل سنوائی نہیں ہوتی - تھوڑا عرصہ ہوا جب میں بیمار چارپائی پر پڑا ہوا تھا تو میں نے اخبار میں دیکھا کہ میرے معزز دوست پنڈت گوبند بلبھ پنڈت صاحب نے ایک تجویز اسی کونسل میں پیش کی تھی کہ کونسل Proceedings اردو اور ہندی زبان میں بھی شایع ہوا کریں مگر وہ Motion ایک اورت سے نکل ہو گیا - مجھے بڑا ہی افسوس ہوا اور اپنے دل میں کہا کہ اگر میں اس وقت کونسل میں موجود ہوتا تو میں اپنا ایک اورت دے دیتا اور ہماری جیت ہو جاتی - مجھے ابھی تک یہہ نہیں معلوم ہی کہ کن کن صاحبان نے ایسے ضروری اور اہم موشن (Motion) کو Support نہیں کیا خیر جب میں کونسل کی Proceedings کو دیکھونگا تو یہہ بات معلوم ہو جاویگی کہ کن کن صاحبان نے اس تجویز کی مخالفت کی تھی قصہ کوتاہ یہہ کہ جب میں دیکھتا ہوں کہ جو تقریر دیسی زبان میں کی جاتی ہی وہ سنی نہیں جاتی تو نہایت ہی افسوس ہوتا ہی مگر جب میں دیکھتا ہوں کہ سب اصحاب اپنے اپنے ضلع کے سڑکوں کے متعلق کچھ نہ کچھ معروضات کیئے ہیں اور ان کو پختہ کرائے لیتے ہیں نے بھی سوچا کہ اس نعمت سے بیچارہ آناؤ کیوں محروم رہ جائے - میں گفتگوئے میکنم - دو تین سڑکیں ہمارے ضلع میں ایسی

[Raja Shambhu Dayal]

ہیں جو قابل توجہ کے ہیں میں خود غرض نہیں ہوں میں صرف اپنے قلم کی سڑکوں کا ذکر نہیں کرتا ہوں بلکہ ان سڑکوں کا ذکر کرتا ہوں جن کا (Connection) اُناؤ اور راے بریلی دونوں ضلعوں سے ہی ایک پختہ سڑک بگہ پور سے لعل گنج تک بننے کی ضرورت ہے۔ لعل گنج میں ایک بہت بڑا بازار لگتا ہے جہاں کی سڑک بہت ہی خراب حالت میں ہے کانپور سے اس سڑک پر بہت زیادہ آمد و رفت رہتی ہے بگہ پور اور لعل گنج کے درمیان تکیہ محبت شاہ کا ایک میلہ بڑا بھاری ہوتا ہے جس میں ۵۰ ہزار سے زیادہ آدمی جمع ہوتے ہیں جن کے آرام کے لیے سڑک بگہ پور سے لعل گنج تک پختہ ہونا ضروری ہے۔ اس موقع پر اُناؤ اور بیان کر دینا مناسب ہوگا کہ جب اُناؤ ترقی کا دور آ رہا ہے ایک ضلع دوسرے ضلع سے پختہ سڑک سے (Connection) کیا جا رہا ہے تو کیا وجہ ہے کہ اُناؤ اس سے محروم رکھا جاوے۔ ایک سڑک پختہ اُناؤ سے مورواں تک بنی ہوئی ہے جس کا تعلق اُناؤ اور راے بریلی سے ہی اس سڑک کو اس سے آگے پختہ بنانے کی ضرورت ہے اور اس کی تیاری کے خرچ کو دونوں ضلع اپنی اپنی حدود کے موافق برداشت کریں مجھے آؤ زیادہ کچھ نہیں کہنا ہے۔ میں امید کرتا ہوں کہ ہماری یہ تجویز نوٹ کی جاوے گی اور گورنمنٹ اس کی طرف دستبردت بورڈ اُناؤ و راے بریلی کو توجہ دلائیگی \*

**Pandit Badri Dutt Pande :** There is a motion in my name, but I will not move that now but will speak on this motion, with your permission. Hitherto all have been talking about roads in the plains. I think the question of roads does not arise so much in the plains as people can walk about easily in the plains, but in the hills it does arise. There are very few roads in the hills. In the plains you have railways and motor roads, but in the hills there are very few roads, and I am sure the members on the opposite benches will bear me witness in this. In Garhwal, for instance, there are only 19 miles of cart road. A cart road from Dogadda to Pauri is very necessary to open up communications and encourage commerce. Then there is another road required from Khairna to Almora. At present we have to travel 81 miles from Kathgodam to Almora, i. e., via Ranikhet. An estimate of this was prepared in Sir John Hewett's time, and I believe an allotment was also made, but what happened to both I do not know. I should like to know from those benches what happened to all this road. There is another road from Vikiasen to Ganai. That is an all-India road, because it concerns the Badri Nath pilgrims. In all these cases estimates have been sanctioned and allotments were made also. If these roads are made they will open up commerce and will be of use to the Forest Department for the transportation of fuel, charcoal and timber as well as will be useful to people who go for their health to the hills. I hope that the House will vote for these roads when the time comes. This year I am a new man, so I am moderate in my demands. Next year, when I become more powerful, I will come down with more vigorous demands.

**Khan Bahadur Maulvi Fasih-ud-din :** The question of roads is really so important that one can talk upon it for hours and hours, not to speak

of a few minutes, but on this occasion I want to follow the golden principle that brevity is the soul of wit. I quite agree with my friend Mr. Badri Dutt Pande that in the hills roads are even more needed than in the plains, and at the time of the last elections I was met with insurmountable difficulties in sending my agents to the polling stations. In some cases my agent reached the polling station in three days, not to speak of collecting voters at that station. The hills are very much undeveloped in the matter of roads. I think this question should receive serious consideration of Government. An English poet says: "A bed by night, a chest of drawers by day". But I should add "a road by both day and night". I also want to ventilate the grievance of a district of my constituency, namely, Pilibhit. This district has got the splendid length of 32 miles of pakka road throughout. A memorial was presented by the board of Pilibhit at the time and the road was very badly needed from Amaria, a flourishing village about eight miles from headquarters to Pilibhit. The residents have been ventilating this grievance for the last five years. They also sent up a memorial, and the Hon'ble Minister promised to look into the matter; but it is still in abeyance, and I hope that the Government will see their way to take some practical steps to have this road built.

#### Khan Bahadur Hakim Mahbub Ali Khan :

جناب والا - میں سڑکوں کے مسئلہ کے متعلق دو امر پر توجہ دلانا چاہتا ہوں۔ ایک عام اور اعلیٰ ہی اور دوسرا خاص اور مقامی۔ پہلی بات جس پر میں توجہ دلانا چاہتا ہوں وہ یہ ہے کہ عام طور پر دستبردت بورڈ سڑکوں کی طرف توجہ نہیں کرتی ہی اور نہ سڑکوں پر کوئی معقول رقم صرف کرتی ہی جس کی وجہ سے خام سڑکیں ناقابل رہ گذر ہو گئی ہیں اور پختہ سڑکوں کی بھی بہت خراب حالت ہی جس زمانہ میں گورنمنٹ نے پختہ سڑکوں کے متعلق دستبردت بورڈوں کو اطلاع دی تھی کہ اگر وہ چاہیں تو پختہ سڑکیں براہ راست اپنے انتظام میں لے سکتی ہیں۔ بہت سے بورڈوں نے سڑکوں کو اپنے انتظام میں لے لیا تھا۔ چنانچہ بریلی کے دستبردت بورڈ کے میمبران و عہدہ داران نے خواہش کی کہ ضلع بریلی کی سڑکیں بھی بورڈ کے اہتمام میں لے لی جائیں میں اُس زمانہ میں بریلی کے دستبردت بورڈ (Chairman) کا چیئرمین تھا۔ خام سڑکوں کی جو حالت تھی وہ میرے پیش نظر تھی اور میں یہ سمجھتا تھا کہ اگر پختہ سڑکیں بورڈ نے لے لیں تو اُن کی حالت بھی بہتر ہو جائیگی میں نے اُس کو منظور نہیں کیا اور سمجھا کہ میمبران بورڈ کو اس سے باز رکھا۔ جہاں تک مجھے کو علم ہی غالباً بریلی ہی کا ایک ضلع ایسا ہی کہ جس نے پختہ سڑکیں اپنے اہتمام میں نہیں لین اس وجہ سے وہ آج اس الزام سے تو رہی ہی کہ پختہ سڑکوں کی حالت اُس نے خراب کر دی۔ لیکن اس میں کوئی شک نہیں ہی کہ کافی روپیہ پختہ سڑکوں کے صرف کے واسطے بھی نہیں دیا جاتا اور خام سڑکیں تو ناگفتہ بہ حالت میں ہیں۔ بالعموم بورڈوں میں اس مدد نے بچت میں مناسب رقم نہیں رکھی جاتی اور جو رقم رکھی جاتی ہی اُس کا مصرف اور مصرف پر نگرانی ٹھیک نہیں ہوتی اس لیے گورنمنٹ کو چاہیئے کہ دستبردت بورڈ کی سڑکوں پر اپنی نگرانی لگے اور بورڈوں کے واسطے جس طرح پر تعلیم کے واسطے رقم معین کر دی گئی ہیں

[Khan Bahadur Hakim Mahbub Ali Khan.]

اور وہ مسجد پور ہیں کہ اس قدر تعلیم پر صرف کریں اسی طرح سڑکوں کے واسطے بھی ہر ضلع کے لیٹے معین کریں۔ اور بورڈ کو مسجد پور کرے کہ وہ اس قدر روپیہ صرف کرے \*

دوسرا مسئلہ مکوند پور اور آنولہ کی سڑک کا ہے۔ یہہ ٹکڑا اس سڑک کا جس کا نام مکوند پور گجپورلہ ہے پہلا حصہ ہے جس کی لمبائی دس میل ہے یہہ صوبہ کی وہ سڑک ہے جس کا بنایا جانا گورنمنٹ نے منظور کر لیا ہے۔ لیکن اب تک اس کی تعمیر شروع نہیں کی گئی۔ یہہ حصہ جس کے تعمیر کے لیٹے میں توجہ دلاتا ہوں نہایت ضروری ہے۔ اس کے بن جانے سے ہریلی سے آنولہ تک پختہ سڑک مکمل ہو جائیگی جس کی سخت ضرورت ہے ہریلی ضلع کا صدر مقام ہے اور اس ضلع میں آنولہ سب سے بڑا قصبہ ہے اور تحصیل بھی ہے۔ آنولہ غلہ کی تجارت کی منڈی ہے اور اس وجہ سے وہاں ایک بنک بھی قائم ہے اور ایک دوسرے بنک کی شاخ وہاں قائم کرنے کے لیٹے تجویز ہو رہی ہے۔ آنولہ انگریزی گورنمنٹ سے پہلے روہیلکھنڈ کا دار الحکومت تھا جس طرح کہ اب ہریلی روہیلکھنڈ کی کمشنری صدر مقام ہے۔ میں یہہ بھی عرض کر دینا چاہتا ہوں کہ میں یہہ کوئی نئی تجویز نہیں پیش کر رہا ہوں بلکہ بہت عرصہ سے جبکہ ڈسٹرکٹ بورڈ میں سرکاری چیئرمین تھے! چیئرمین صاحبان نے اس کی ضرورت جتنا کہ اس کے بنائے جانے کی سفارش کی تھی اور گورنمنٹ سے اس کے واسطے امداد مانگی تھی۔ میں نے اپنے عہد چیئرمین ڈسٹرکٹ بورڈ میں بھی اس کے واسطے درخواست کی تھی اور اس درخواست پر یہہ اُمید دلائی گئی تھی کہ فائیننس کمیٹی سے روپیہ ملنے پر اس کا کام شروع کیا جائیگا اور اس کا بنایا جانا منظور کر لیا گیا تھا مگر افسوس ہے کہ اب تک اس پر کچھ عمل نہیں ہوا۔ اس سڑک کے بنانے سے ہریلی سے جو ضلع و نیز کمشنری کا صدر مقام ہے۔ اس کے سب سے بڑے قصبہ اور تحصیل کو جو ایک منڈی ہے مخلوق کی تکلیف رفع ہو کر تجارت کو ترقی ہوگی۔ مکوند پور اس پرانہ رستہ پر جو ہریلی سے بدایوں ہوتی ہوئی آگرہ کو جاتی ہے ہریلی اور بدایوں کے درمیان میں واقع ہے۔ چونکہ مکوند پور گجپورلہ رستہ کا پہلا حصہ ہے اور اس کے بننے سے وہ پرانہ رستہ سڑکیں جو لکھنؤ سے ہریلی کو اور نیننی تال سے ہریلی کو آئی ہیں وسیع ہوتی ہیں اور اس کا سلسلہ قائم رہتا ہے اس لیٹے یہہ بقیہ ان حصوں سے جو درمیان میں واقع ہیں پہلے بنائے جانے کا مستحق ہے \*

**Khan Bahadur Saiyid Jafar Husain :** I have a similar motion standing in my name, but I will speak on this motion now. My object is to urge the necessity of metalling some 16 miles of kachcha road from Chandausi to Sambhal in the district of Moradabad. The Board of Communications in 1925 have sanctioned the scheme of metalling the Makrandpur-Hasanpur section. This road runs through the districts of Moradabad, Budaun and Bareilly. But the portion which I would like to see metalled first is from Chandausi to Sambhal. This should be metalled as early as possible for the reason that Sambhal, as honourable members know, is noted for its excellent cotton and wheat and large quantities are sent to Chandausi, which is a flourishing commercial

town. In my opinion the trade there will be doubled or trebled if this portion of the road is metalled first. Therefore my submission is that this portion of road should first be metalled. I put several questions on this point to the Government in 1922 and 1923, and the reply was that Government had sanctioned that scheme and that the project will soon be taken in hand, but unfortunately four years have elapsed and still we are no better off than we were at that time. I hope the Minister will take this project into his serious consideration and get this portion metalled at an early date.

**The Hon'ble the President :** I should like to know whether members wish to go on pressing their respective claims for their districts. A good many have already shown the trend of feeling, and I think Government should be allowed now to make a reply.

Voices of "Yes".

**Mr. P. H. Tillard :** The honourable member for Dehra Dun started the questions concerning roads, with an inquiry about the Dehra Dun-Mussoorie cart road. One section of this road was built several years ago in order to form a diversion for the bridle path, which was in a dangerous condition owing to a bad slip; this section was Rajpur to Kolukhet. Later, the Kolukhet-Bhatta section was taken up and will be completed after the next rains or, if possible, sooner. We are now taking in hand the section round Rajpur. The necessity for this section is that the road through Rajpur is not safe for unrestricted motor traffic owing to the very steep grade of 1 in 5 through the bazaar. When this is made, the Mussoorie cart road will be ready as far as Bhatta which is just below Barlowganj. We are now making a survey to link Bhatta with the existing bridle path, and as soon as this link with the existing bridle path has been made it will be possible to get right into Mussoorie by motor.

**Dr. Shafa'at Ahmad Khan** has complained about the Bareilly-Meerut road. I am not quite sure which road he refers to, whether it is the one *via* Moradabad to Meerut or the one from Bareilly *via* Budaun to Meerut. I recently went over the road from Moradabad to Meerut and it was in quite a good order. He also complained of the small amount of reconstruction that has been allotted to Moradabad and he compares Moradabad with Cawnpore. Well, anybody who knows Moradabad and Cawnpore will know that the traffic conditions in Cawnpore are considerably worse than the traffic conditions in Moradabad, and I think they will realize that any comparison between these two is absurd. Around Cawnpore at least 73 miles require reconstruction. There is not a single road running into Cawnpore that does not require reconstruction. In Moradabad the only part that requires reconstruction is about four miles over the railway line on the Meerut road.

Several other members have complained that their districts have been ignored as regards reconstruction. This, I maintain, is wrong. We have carefully considered the cases of all districts and the heavy traffic in every single district. The districts that we are providing for are Meerut 29 miles, Saharanpur 31½ miles, Dehra Dun 7 miles, Agra 26 miles, Aligarh 46 miles, Naini Tal 30 miles, Almora 1½ miles, Garhwal 19 miles, Bareilly 11½ miles, Moradabad 4½ miles, Lucknow 21 miles, Unao 13½ miles, Allahabad 28 miles, Mirzapur 9 miles, Cawnpore 73 miles, Etawah 19 miles, Benares 27 miles, Fyzabad 17 miles. It will therefore be seen that out of the 48 districts we are dealing with 18

[Mr. P. H. Tillard.]

districts. The remaining districts have not, I maintain, heavy traffic on their roads which has any comparison with the districts mentioned above. Dr. Shafi'at Ahmad Khan also complained that the Board of Communications were not consulted about reconstruction. Reconstruction is an obvious necessity that has to be carried out. The Board of Communications have no money and their programme is for new work. They receive and consider applications for new work, and when the Government gives money then we carry out the work as far as possible in the order in which they are given in the programme.

The honourable member for Almora has referred to the Kairna-Almora road. This road has a length of 21½ miles and the estimated cost is 22 lakhs. The present cart road to Almora is 81 miles. By making this deviation there will be a saving of 20 miles. But the estimated cost of 22 lakhs is rather large, considering the short length, when we consider the crying needs of other districts. If, however, the Government are prepared to grant the money we are prepared to construct the road.

The honourable member for Moradabad has referred to the Bisauli-Sambhal road. This, as he says, is 16 miles long. The road forms part of the Makranpur-Hasanpur road, with a length of 81 miles, estimated to cost 11½ lakhs of rupees. We already have an estimate for the section Bisauli-Chandausi which is 11 miles, roughly costing 2 lakhs. We had hoped to be able to construct the road this year, but the financial stringency does not permit of a start being made. The length from Bisauli to Sambhal would be in continuation of that length and would probably cost for the 16 miles about 3 lakhs. The honourable member's contention that this length should be constructed is perfectly sound as it will link up Bisauli and Sambhal. As I have said before, if the money is given we will construct the road.

The honourable member for Hardoi brought up the question of the Shahjahanpur-Lucknow road. This road is in our Board of Communications programme with a length of 66 miles and an estimated cost of about 10 lakhs. I think there is no doubt that there is a crying necessity for a metalled road to Hardoi. It is one of the few headquarter towns that is not connected with any other town by metalled roads. It would, however, be possible to join it up with Unao by metalling a small length of about 10 miles on the Unao-Hardoi side. Unao has got a metalled road to within about 6 miles of the boundary and Hardoi has a road within about 4 miles of the boundary. The link between the two is about ten miles and would give a round-about connexion to Lucknow. When this link and the link between Hardoi and Shahjahanpur have been connected then you will have through communication from Cawnpore, Hardoi and Shahjahanpur up to the hills. I therefore, think that the proposal is sound, and I am quite sure that the Board of Communications will take it up. But the construction must depend upon money being provided.

**The Hon'ble Nawab Muhammad Yusuf :** I am afraid it will be very difficult for me at this late hour to deal fully with the remarks of the honourable members. Broadly speaking, I may say, however, that the suggestions which they have made will be very carefully examined by me.



**Pandit Nanak Chand :** What about the suggestions which could not be made for want of time ?

**The Hon'ble Nawab Muhammad Yusuf :** I cannot say anything about them. As stated already, I wish to assure honourable members in general terms that every point which they have brought to my notice, either concerning the local or the provincial roads, will receive my most careful consideration. As regards the taking over of the local roads by the Government, I am at present only prepared to say that the matter is under consideration and that no cut and dried scheme has so far been fully matured. All I can say is that I am very carefully looking into the matter, and I hope that I shall succeed in solving the problem concerning the roads, which every one of us is so anxious to see in good condition.

**Mr. Mukandi Lal :** Is the Government taking any initiative in provincializing some of the district board roads, or is it leaving to the district boards to apply for the provincialization of some of the district board roads ?

**The Hon'ble Nawab Muhammad Yusuf :** At this stage all I can say is that we are carefully looking into the question of the provincial roads, and I hope that some solution will be found for improving their general condition. Some time ago our provincial roads were among the best roads in the whole of India, but unfortunately, owing to the ravages of the heavy traffic and the heavy floods of 1924 and monsoons, some of our roads are now in a deplorable condition. We have embarked upon a scheme of reconstruction, and I am glad that the honourable members look upon this scheme with great favour. I submit that the reconstruction scheme is the only scheme which will solve the problem of the repairs and maintenance of the roads. So far as this scheme of reconstruction is concerned, we have already made 17 miles of road.

**Pandit Govind Ballabh Pant :** At what cost ?

**The Hon'ble Nawab Muhammad Yusuf :** Rupees 16 lakhs odd.

**Pandit Govind Ballabh Pant :** What is the total length of the roads ?

**The Hon'ble Nawab Muhammad Yusuf :** It is roughly 4,500 miles, both metalled and unmetalled.

I must say that we hope to complete another 23 miles this year. We have already spent Rs. 40½ lakhs and we propose to spend Rs. 22½ lakhs more.

**The Deputy President :** As it is five now, can the Hon'ble Minister go on ?

**The Hon'ble the President :** I think that the Chair can be trusted to watch the time.

**The Hon'ble Nawab Muhammad Yusuf :** I must say that 280 miles of road is included in our scheme. This will show to the House that we are alive to our responsibility. We have, as far as possible, gone ahead with this scheme of re-construction. I now say that, so far as the question. . . .

**The Hon'ble the President :** I must now interrupt the Hon'ble Minister.

*The demand for Rs. 47,69,099 was put and voted.*

*The Hon'ble the President then adjourned the Council till 1 following day.*



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Saturday, March 26, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 A.M.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT :

(89)

The Hon'ble Sir Sam O'Donnell.	Babu Kishori Prasad.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Lieut. Raja Durga Narayan Singh.
The Hon'ble Rai Rajeshwar Bali.	Pandit Deota Prasad.
The Hon'ble Thakur Rajendra Singh.	Babu Shyam Lal.
The Hon'ble Nawab Muhammad Yusuf.	Pandit Venkatesh Narayan Tiwari.
Mr. G. B. Lambert.	Babu Kavendra Narayan Singh.
Mr. E. A. H. Blunt.	Pandit Shri Sadayatan Pande.
Kunwar Jagdish Prasad.	Rai Bahadur Thakur Hanuman Singh.
Sir Ivo Elliott.	Rai Bahadur Babu Abhainandan Prasad.
Mr. P. H. Tillard.	Raja Indrajit Pratap Bahadur Sahi.
Mr. H. A. Lane.	Bhaya Hanumat Prasad Singh.
Mr. R. L. Yorke.	Pandit Govind Ballabh Pant.
Mr. A. W. Pim.	Pandit Badri Dutt Pande.
Mr. A. W. McNair.	Mr. Mukandi Lal.
Khan Bahadur Chaudhri Wajid Husain.	Sirdar Nihal Singh.
Mr. E. L. Norton.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. F. F. R. Channer.	Rai Bahadur Babu Mohan Lal.
Mr. R. J. S. Dodd.	Kunwar Surendra Pratap Sahi.
Lieut.-Col. R. F. Baird.	Mr. C. Y. Chintamani.
Mr. A. H. Mackenzie.	Mr. Zahur Ahmad.
Mr. B. D'O. Darley.	Haji Abdul Qayum.
Mirza Muhammad Sajjad Ali Khan.	Maulvi Zahur-ud-din.
Khan Bahadur Mr. Masud-ul-Hasan.	Saiyid Tufail Ahmad.
Mr. E. Ahmad Shah.	Hafiz Muhammad Ibrahim.
Babu Ram Charana.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Sri Ganesh Shankar Vidwarthi.	Shaikh Abdullah.
Mr. A. P. Dube.	Khan Bahadur Hafiz Hidayat Husain.
Pandit Rahas Bihari Tiwari.	Maulvi Saiyid Habib-ullah.
Babu Sampurnanand.	Shaikh Ghulam Husain.
Babu Bhagwati Sahai Bedar.	Dr. Shafa'at Ahmad Khan.
Thakur Manjit Singh Rathor.	Khan Bahadur Saiyid Jafar Husain.
Chaudhri Vijai Pal Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Chaudhri Dharamvir Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Pandit Nanak Chand.	Shaikh Muhammad Habib-ullah.
Thakur Pratap Bhan Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Thakur Bikram Singh.	Chaudhri Niamat-ullah.
Thakur Hukum Singh.	Mr. Muhammad Habib.
Raja Kushal Pal Singh.	Rai Bahadur Munshi Ambe Prasad.
Rao Krishna Pal Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Lala Nemi Saran.	Raja Shambhu Dayal.
Chaudhri Badan Singh.	Kunwar Bisheshwar Dayal Seth.
Rao Sahib Kunwar Sardar Singh.	Raja Jagannath Baksh Singh.
Thakur Sadho Singh.	Rai Bahadur Babu Vikramajit Singh.
Pandit Brijnandan Prasad Misra.	Pandit Iqbal Narayan Gurtu.
Pandit Bhagwat Narayan Bhargava.	

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS:

## INSOLVENCY CASES.

\* 1. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to answer the following questions with special reference to Allahabad, Lucknow and Cawnpore :—

- (a) What was the number of insolvency cases pending in each of the three districts on January 1, 1927 ?
- (b) Please put up a statement showing the duration of the cases pending in each district.
- (c) In how many cases applications for discharge have been made and in how many cases such applications have been disposed of ?
- (d) In how many cases the schedules of debts have been prepared ?
- (e) In how many cases the final dividends have been paid ?
- (f) What are the amounts lying in the hands of each one of the receivers ?
- (g) For how long this money has been in the hands of receivers ?
- (h) Is the money invested earning any interest ?
- (i) How long is it expected to take before the files of these cases are consigned to the record-room ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : A statement is laid on the table.

(See Appendix A, page 891.)

\* 2. **Rai Bahadur Babu Vikramajit Singh** : Does the Government intend to appoint any special officer in any of these places to wipe off the arrears ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Neither the High Court nor the Chief Court has proposed any such appointment, and the District Judges of Allahabad and Cawnpore have reported that they do not see any reason to ask for the appointment of a special officer.

\* 3. **Rai Bahadur Babu Vikramajit Singh** : Is it a fact that insolvency proceedings remain pending for several years before they come to termination ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Yes, sometimes. It depends on the nature of the case. A large concern such as a bank might take a number of years to liquidate. In the large majority of cases, however, the delays are due to contested proceedings of the nature of civil suits arising out of the original insolvency applications.

\* 4. **Rai Bahadur Babu Vikramajit Singh** : Is it a fact that small dividends at large intervals are distributed to the creditors ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The distribution of small dividends at large intervals is uncommon, but may

occur if the assets are small and are discovered and realized at considerable intervals.

\* 5. **Rai Bahadur Babu Vikramajit Singh** : Is it a fact that the properties of the insolvents are not sold within a reasonable period to enable the receiver to distribute dividends to creditors at an early date ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The district judges of the three places mentioned report that they have received no complaints of this nature.

\* 6. **Rai Bahadur Babu Vikramajit Singh** : What steps does the Government propose to take to remedy the evils ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The question will be considered.

\* 7. **Rai Bahadur Babu Vikramajit Singh** : Has the attention of the Government been drawn to the evils under the Insolvency Act in the speeches made at the Conference of the Associated Chambers at Cawnpore in December, 1926 ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Government have read the report of the speeches as published in the *Leader*, dated Sunday, December 12, 1926.

\* 8. **Rai Bahadur Babu Vikramajit Singh** : Does the Government intend to take any action ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Government understand that the recommendations contained in the speeches referred to were addressed to the Government of India. The answer is, therefore, in the negative.

#### TREATMENT OF UNDER-TRIAL PRISONERS.

\* 9. **Rai Bahadur Babu Vikramajit Singh** : Is the Government aware that fetters are put on under-trial prisoners of non-criminal tribes accused of serious offences ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : Yes.

\* 10. **Rai Bahadur Babu Vikramajit Singh** : Has the superintendent of jail any discretion in the matter ? If so, will the Government be pleased to state in how many cases this discretion has been exercised in not putting fetters on under-trial prisoners in the year 1925-26 ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The honourable member is referred to section 56 of the Prisons Act (IX of 1894) and to paragraphs 873 to 875 of the Jail Manual. Information as to the number of cases in which, in the exercise of the discretion, fetters were not imposed has been called for but has not yet been received.

#### IMPROVEMENT TRUST.

\* 11. **Rai Bahadur Babu Vikramajit Singh** : Will the Government be pleased to state—

(a) the total amount of grants given to Improvement Trusts of Cawnpore, Lucknow, and Allahabad ;

- (b) the total amounts of loans advanced to Improvement Trusts of Cawnpore, Lucknow, and Allahabad ;
- (c) the total amount of loans, including interest due, from the above Improvement Trusts separately ;
- (d) the value of assets calculated at the present market value in the hands of each of the three Improvement Trusts ;
- (e) have any of the Improvement Trusts paid any instalment of loans ? If so, place a statement on the table ;
- (f) how long does the Government intend to continue the operations of these Trusts ;
- (g) what is the yearly expenditure on establishments in each of the three Trusts ;
- (h) what is the value of the work done during the last three years in each of the three Trusts ?

**The Hon'ble Rai Rajeshwar Bali :** The information is being collected. A reply will be given at a later date.

*Pathshalas AND Madrasas.*

\* 12. **Mr. A. P. Dube :** Will the Government be pleased to lay on the table a statement showing the number of Sanskrit *pathshalas* and Arabic *madrasas* in existence in 1923-24, 1924-25, 1925-26, 1926-27, and the aggregate amount paid to these ? What is the average amount paid to a Sanskrit *pathshala* and Arabic *madrasa*, respectively ? What is the number of new institutions which applied for new grants during the aforesaid years ; the amount that was applied for by each, and the grant actually paid to it ?

**The Hon'ble Rai Rajeshwar Bali :** Statements are laid on the table of the honourable member.

(See Appendix B, page 891.)

\* 13. **Mr. A. P. Dube :** Will the Government be pleased to state the number of the new institutions of both the kinds that have applied for grants for the year 1927-28, the amount asked for by them, and the amount which the Government intends to pay to each during that year ?

**The Hon'ble Rai Rajeshwar Bali :** Statements are laid on the table of the honourable member.

(See Appendix C, page 895.)

**Mr. A. P. Dube :** Do the Government intend to equalize the average of these schools ?

**The Hon'ble Rai Rajeshwar Bali :** To a certain extent.

**Mr. A. P. Dube :** Not fully ?

No answer.

**COPYISTS IN FATEHPUR COLLECTORATE.**

\* 14. **Babu Uma Shankar :** Is it a fact that there is very heavy copying work in the Fatehpur collectorate ?

\* 15. Is it a fact that there is a sanction for the appointment of two extra copyists for eight months in the year ?

\* 16. Is it a fact that several reports were made for the appointment of extra copyists in 1926 ?

\* 17. How many extra copyists were appointed, and for how many months?

\* 18. Is it a fact that all holidays since May, 1926, have been stopped to the copying department on account of the excessive work?

\* 19. What is the average of words required every day from the Hindi, Urdu, and English copyists?

\* 20. (1) Have the copyists been given any allowance for the work done by them in the holidays?

(2) If not, why not?

\* 21. (1) Does the Government now intend to give allowance for the extra work done during the holidays?

(2) If not, does the Government contemplate to appoint some extra hands now?

(3) If not, why not?

The Hon'ble Sir Sam O'Donnell: The position is not yet clear, and further inquiry is being made. An answer will be given when full information is available.

#### IMPROVEMENT TRUST, ALLAHABAD.

\* 22. Babu Uma Shankar: Will the Government be pleased to state when the land at South Sanitary Lane, Zero Road, Allahabad, was acquired?

The Hon'ble Rai Rajeshwar Bali: Part of the land was acquired in 1914-15, and the rest in 1923.

\* 23. Babu Uma Shankar: At what rate per square yard was compensation paid to the owners of the house?

The Hon'ble Rai Rajeshwar Bali: Compensation was paid by the land acquisition officer on the rental basis of the houses.

\* 24. Babu Uma Shankar: Will the Government be pleased to state—(a) when were the plots sold, and (b) at what rate per square yard?

The Hon'ble Rai Rajeshwar Bali: (a) On January 27, 1924.

(b) On an average rate of Rs. 6-13-9 per square yard.

\* 25. Babu Uma Shankar: (1) Did the Trust authorities give an undertaking to the purchasers of the plots that a park would be laid in front of the plots?

(2) If yes, will the Government be pleased to state why no parks have yet been laid?

The Hon'ble Rai Rajeshwar Bali: (1) No.

(2) Does not arise.

\* 26. Babu Uma Shankar: (1) Is it a fact that the Trust authorities have decided to give up the proposal of the parks?

(2) If yes, why?

The Hon'ble Rai Rajeshwar Bali: (1) If the question refers to the proposed park adjacent to the South Sanitary Lane, then the answer is the affirmative.

(2) Because the Moti Park constructed by the municipal board is not very far from the locality.

\* 27. **Babu Uma Shankar** : (1) Is the Government aware that on account of the parks the purchasers have paid a high price for the plots?

(2) If so, how does the Government contemplate to compensate the purchasers on account of the withdrawal of the proposal?

**The Hon'ble Rai Rajeshwar Bali** : (1) The answer is in the negative. On the other hand, the Government is informed that the price paid is on an average the same as for other plots in the locality.

(2) Does not arise.

\* 28. **Babu Uma Shankar** : (1) Did the purchasers memorialize the Trust or the Government?

(2) If so, with what results?

**The Hon'ble Rai Rajeshwar Bali** : (1) One of the purchasers memorialized the Government.

(2) The memorial was returned for submission through the proper channel.

\* 29. **Babu Uma Shankar** : Did the purchasers make representations for the refund of the price of the plots?

\* 30 (1) Did the purchasers make representations for the reduction of the price of the plots?

(2) If so, with what results?

**The Hon'ble Rai Rajeshwar Bali** : (1) Representation was received by the Trust from one of the purchasers only and, was based on the ground that the area of the land was less than what was mentioned in the advertisement for auction sale.

(2) The value of six and-a-half yards of land was refunded.

#### ANNOUNCEMENT OF NOMINATIONS FOR THE PUBLIC ACCOUNTS AND FINANCE COMMITTEES.

**The Hon'ble the President** : I announce to the Council the nominations that have been made for the Public Accounts Committee and the Finance Committee.

For the Public Accounts Committee the following names have been duly proposed and seconded :—

1. Nawabzada Muhammad Liaqat Ali Khan.
2. Khan Bahadur Saiyid Jafar Husain.
3. Mr. Zahur Ahmad.
4. Rai Bahadur Chaudhri Jagannath Prasad.
5. Mr. H. C. Desanges.
6. Saiyid Habib-ullah.
7. Rao Sahib Kunwar Sardar Singh.
8. Raja Kushal Pal Singh.
9. Shaikh Abdullah.
10. Mr. E. Ahmad Shah.
11. Babu Kavendra Narayan Singh.
12. Pandit Nanak Chand.
13. Rai Bahadur Babu Abhinandan Prasad.



14. Rai Bahadur Babu Mohan Lal.
15. Babu Ram Charana.
16. Babu Sampuranand.
17. Thakur Vijaipal Singh.
18. Hafiz Muhammad Ibrahim.
19. Rai Bahadur Lala Mathura Prasad Mehrotra.

The following names have been duly proposed and seconded for the Finance Committee:—

1. Mr. C. Y. Chintamani.
2. Raja Jagannath Bakhsh Singh.
3. Pandit Brijnandan Prasad Misra.
4. Babu Shyam Lal.
5. Dr. Shafa'at Ahmad Khan.
6. Rai Bahadur Babu Mohan Lal.
7. Thakur Hukum Singh.
8. Shaikh Muhammad Habib-ullah.
9. Mr. Zahur Ahmad.
10. Khan Bahadur Hafiz Hidayat Husain.
11. Raja Saiyid Ahmad Ali Khan Alvi.
12. Nawabzada Muhammad Liaqat Ali Khan.
13. Rai Bahadur Babu Abhainandan Prasad.
14. Pandit Govind Ballabh Pant.
15. Thakur Manjit Singh Rathor.
16. Hafiz Muhammad Ibrahim.

The election will be held, as already announced, on March 28 under the system already in force.

#### NEXT SESSION OF THE COUNCIL.

**The Hon'ble the President :** Will the Hon'ble Finance Member give some idea of the next session of the Council?

**The Hon'ble Sir Sam O'Donnell :** After the disposal of the supplementary estimates we will assemble at Naini Tal when days will be allotted for non-official business.

**Mr. C. Y. Chintamani :** Are we to understand that the meeting of April 2 is the last of this session and no days will be allotted for non-official business?

**The Hon'ble Sir Sam O'Donnell :** The second is the last day of the session, when supplementary estimates will be disposed of.

**Pandit Govind Ballabh Pant :** May I know if the leader of the House is in a position to tell us when the meeting will be held in Naini Tal?

**The Hon'ble Sir Sam O'Donnell :** His Excellency the Governor has neither fixed any date nor the duration.

**Pandit Nanak Chand :** Is the Hon'ble the Finance Member in a position to state the number of days that will be allotted for non-official business at Naini Tal?

**The Hon'ble Sir Sam O'Donnell :** The number of days has not fixed, but the honourable member may take it from me that a number of days will be allotted for non-official business.

**THE BUDGET, 1927-28.****DISCUSSION OF DEMANDS FOR GRANTS.****Demand No. 22.****HEAD 31—EDUCATION.**

**The Hon'ble Rai Rajeshwar Bali:** I rise to communicate to the Council the recommendation of His Excellency the Governor that a sum of Rs. 1,72,04,464 be granted under head 31—Education, and I move that this sum be voted. In addition to this amount a sum of Rs. 4,27,000 appears under the same head as non-votable, making a total of Rs. 1,76,31,464.

In every legislature the interest of non-officials centres, besides the Finance Bill, round the proposals for new expenditure on beneficial subjects. Judged by this standard the Education budget which I am presenting is bound to cause disappointment. It is practically a departmental budget which proposes to carry on the activities which were approved by this House last year. I have explained during the general discussion of the budget the circumstances in which not only very little expenditure was included for new items in the budget, but also for which the figures of Education budget were less by about 8 lakhs from those of last year's. The budget was framed in January when, as the honourable House is aware, we were face to face with a huge deficit, and, as only five lakhs were available for new items of expenditure under the Transferred departments, we got a share of only Rs. 50,000, which, for a department like that of Education, is a very miserable amount, if I may say so. But our expectations have been fulfilled, and we hope to receive a large remission from the Government of India. As the Hon'ble the Finance Member has pointed out, a sum of Rs. 41½ lakhs is going to be allotted for the Transferred departments if the remission is made, and if I may take the House into confidence, I may state that out of this 41½ lakhs about 20 lakhs will go to Education. This will bring the total figure to about a crore and 96 lakhs, and if everything goes on well we may be given, as promised by the Hon'ble the Finance Member, another sum of 10 lakhs in September or October. If this hope materializes, then we will not be surprised if at the close of the year the Education budget amounts to over two crores of rupees.

The figures of educational expenditure since the Reforms present an interesting reading. In the year 1920 the Education budget stood at a crore and 9 lakhs; next year it was about one crore 54 lakhs; in 1922 it came down to one crore 22 lakhs; in 1923 it again went up to one crore 52 lakhs; and in 1924 it was one crore 64 lakhs. Besides this amount provided directly by the Government we have also to remember that large sums of money have been donated for this purpose by private charities, and if we were to count together the large endowments and the recurring and non-recurring items of expenditure which have been contributed by private charities, that sum too may amount to very nearly a crore. This shows that since the Reforms a great deal of activity has been going on in the direction of educational expansion.

I shall now proceed to recall briefly the chief events of the year, but before I do so I may be allowed to prelude my observations by a general remark. It is idle to expect from great national institutions to yield fruit in a day. They have to be built up slowly but surely. All that we can do is to see that their foundations are truly and securely laid, but under democratic conditions we are prone to be too impatient. We very often try to uproot the plant to see how it is growing. I remember two

years back in the debate on the Education department it was suggested that we are spending disproportionately high sums of money on university education; that it is done to the detriment of what ought to be the primary concern of a national Government, namely, the expansion of education among the masses. I entirely agree with those who are keen to see an educated electorate created in order to advance the cause of national progress, but at the same time we cannot ignore or undervalue the part which university education must play in national development and the reconstruction of national life, in producing our future statesmen, reformers, scientists and leaders of all kind of movements. But it was suggested in that debate that our universities have so far failed to achieve this object; that they have not yet become, what I then described, centres of creative thought. But, as I said, we are prone to be too impatient. We expect out of democratic institutions results which could only be achieved under a system of benevolent autocracy. Hardly two years have elapsed, and it is my great pleasure to bring to the notice of this House an event of some importance, namely, the selection of Dr. Megh Nad Saha of the University of Allahabad to the Fellowship of the Royal Society. He has not only raised the stature of the nation in the eyes of the intellectual world and thus indirectly forwarded by several steps the cause of *swaraj*, but has provided ample justification for the university reforms—reforms which created an atmosphere of fuller and freer life—which were inaugurated by my distinguished predecessor in office here in this House six years back. I hope the House will join me in congratulating the doctor on his brilliant achievement and in expressing the hope that he will be followed by a successive line of research workers in various directions of knowledge which will bring India into her own.

Another important event of the year has been the creation of a university at Agra, an event which has got both its critics and enthusiasts—perhaps in this House the two groups are more adequately represented than they were in the last one. Whatever misgivings one may have about this measure, two facts are obvious. The late Council was almost unanimously in favour of this measure, and, if I may make a personal reference, I held the same view even from the time when I hardly suspected that I would be called upon to discharge the responsibilities of my present office. Secondly, this fifth university is bound to open new spheres of educational activities and to remove a fifth wheel from the stately chariot of the University of Allahabad. But, Sir, the credit of keeping agitation persistent for this line of action must go to you, and I congratulate you again, as I congratulated you at the time of the passing of the Act, on the fruition of your efforts. I may inform the House that Mr. Kichlu has been appointed as special officer to work out details, organize the office and bring the university into existence, so that the first examinations could be held in 1928.

The House is aware that our policy of intermediate and high school examination has come in for a good deal of criticism both inside this House and outside. When I was faced with a House which contained more critics than apologists of the system, I had to oppose all efforts to scrap the Act of 1921. In the first place, I thought that the Act, which was the result of the deliberations of the Sadler Commission and of this House, had not been given a sufficient trial under favourable circumstances. The policy was inaugurated at a time of intense financial stringency, and we had to adopt cheap expedients in the matter of staff, buildings, equipment, and so on. Therefore we do not know how the Act would work if it was worked und

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favourable circumstances. Secondly, the new policy had resulted in an expenditure of lakhs and lakhs of rupees both by the Government and by aided institutions. It was, therefore, unfair to change the policy after such short and inadequate trial. Thirdly, I thought that if every new Council and if every new Minister was to undo the policy of its and his predecessor in a large and important matter like this after such a short trial, there could really be no continuity of policy. After all, we have to build up sound traditions of administration in the Transferred departments, and we must guard against excessive individualism to which we are so prone. I say all this in order to justify the restricted terms of reference under which the committee was appointed last year to look into the working of the Intermediate Education Act. I learn that the committee has drawn up its report and will soon be submitted. As soon as it is received, I shall attempt to give effect to such of its recommendations as are accepted by the Government.

Sir, the need of improving the physical condition of our students was prominently brought before us by the first resolution of this newly constituted House moved by my friend, Mr. Dube. The Director of Public Instruction gave at that time a detailed account of what we were doing in this direction. We are tackling this problem in two ways. In the first place, a new scheme of medical inspection of schools has been introduced as an experimental measure in ten cities, namely, Allahabad, Lucknow, Meerut, Benares, Cawnpore, Bareilly, Jhansi, Fyzabad, Gorakhpur, Agra. A whole-time medical officer has been appointed to each of these places. He visits all recognized English schools and the Government Normal School in the town, gives lectures on hygiene at the Government Training College and Normal Schools, and treats free of charge students from recognized schools and colleges under conditions laid down by the department. He will also examine candidates for the St. John Ambulance certificate in hygiene, sanitation and first-aid. Secondly, the Government have accepted the recommendations of the Physical Training Committee appointed last year, and steps are being taken to give effect to a number of recommendations. I need not describe them in detail. The Director of Public Instruction mentioned them before the House at the time of the debate on Mr. Dube's resolution.

Then, Sir, two scholarships for the study of Western methods of education were established during this year and awarded to suitable candidates. A number of teachers have also been encouraged to take study leave and profit by a course of education in the West. We propose to award two of these foreign scholarships this year to suitable candidates who will undergo a course of physical training in the West. These scholarships will, I hope, gradually raise the quality of our teachers and provide us with good material when the time of recruitment of our services from amongst Indians comes. If funds are available we propose to increase the number of such scholarships still further next year.

Sir, among the subjects taught for general culture in our schools . . .

**Mr. A. P. Dube:** May I know from the Hon'ble Minister as to what he has done with regard to the introduction of fire-arms?

**The Hon'ble the President:** I am afraid this interruption is not in order. The question can only be taken up at the appropriate stage after the speech.

**The Hon'ble Rai Bajeshwar Bali:** I may reply to the question just asked. The honourable members are aware that the introduction of fire-arms is not within our competence. Sir, I was saying that among the subjects which are taught in our schools I attach great importance to manual training, study of science and drawing as subjects which predispose students to practical avocations. All designing depends upon a knowledge of drawing, therefore drawing is the essential basis of a large number of industrial occupations, from the highest engineering of every variety to the humblest work of a blacksmith or a carpenter. On the other hand, the value of an elementary course of science lies chiefly in creating habits of observation and the critical examination of all data presented to us and generally in changing what my honourable friend the leader of the Swaraj party called, a *meditative* people into a practical people.

For these reasons we have been examining the possibilities of improving, in the first place, the course of manual training. I learn that the Board of High School and Intermediate Education is actively interesting itself in this matter, and that they are drawing up a scheme in consultation with Mr. Worthen, the Principal of the Allahabad Carpentry School. We have introduced manual training in fourteen Anglo-Vernacular schools and in fourteen middle vernacular schools. Fifteen more teachers are being trained for vernacular middle schools, and in fifteen more vernacular middle schools such classes will be opened from the next session.

As regards compulsory teaching of science, it has been introduced in eleven more English schools during the course of the year. The total number of schools with compulsory science classes is now 63; in fact, nearly all the Government schools have got compulsory science courses now, and when aided institutions come up for the introduction of compulsory science courses, we always treat them very liberally for the introduction of this subject. We are also examining the possibility of introducing the teaching of science, even in an elementary form, in vernacular middle school, and I have asked the Director of Public Instruction to consider the question closely and to give me a scheme for that. I know that a number of difficulties will have to be faced; we shall have to train our teachers in science, and perhaps we may have to expend large sums of money; but I hope the House will agree with me that this expenditure will bear ample fruit, for we have not only to change the outlook of our villagers, but also to banish their habits of superstition. This alone will make it possible for them to adopt improved processes of agriculture and industries.

As regards drawing, it is my earnest desire to improve the courses; and to introduce it, if possible, in vernacular middle schools also. A class for the training of drawing masters has been opened from July last in the Arts and Crafts School, Lucknow, and I am sure it will meet a long-felt need of the department.

Sir, I now come to vernacular education. I have already stated that manual training classes have been opened in fourteen vernacular middle schools during the year and will be opened in fifteen more in the next year. Agriculture has been introduced as an experimental measure in nine vernacular middle schools, and ten more teachers are being trained at Bulandshahr. We have been following for the last two or three years the policy of introducing English classes in vernacular middle schools. The number of schools with such classes has increased from 37 to 72 during the year. Another important step taken in the direction of quickening the intellect of the villager and bringing information within his easy

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reach has been the inauguration of a scheme of village libraries. These have been located in vernacular middle schools; a teacher has been put in charge of them, and they are open to all in the village. The headmaster has been made responsible to advertise them and to persuade as many people as possible to take advantage of their existence. A sum of Rs. 48,000 has been distributed to 43 district boards for non-recurring expenditure on this object. The small recurring expenditure is to be borne by the district board. Up-to-date information is not available, but it is presumed that about 96 such libraries have been opened during the course of this year.

Coming to primary education, I regret to say that only two municipal boards, those of Naini Tal and Ghaziabad, have agreed to adopt the scheme of compulsory education during the course of this year. The total of such municipal boards is now 25. This is certainly discouraging in spite of the great attempts made by the department to persuade other municipal boards to introduce the scheme. I learn that the department has been in correspondence with a large number of municipal boards. A senior assistant inspector of schools has been placed on special duty to examine the working of compulsory education in municipal areas, and it is hoped that as a result of his recommendations we shall be able to make it more effective than is at present possible. In connexion with the District Board Primary Education Act, 1926, Mr. Harrop was placed on special duty to work out details of a progressive programme for vernacular education and to make suggestions for the improvement in the training of teachers. His report is a complement of Mr. Kichlu's report, in so far as it is intended to provide detailed working proposals for the policy of compulsion recommended by Mr. Kichlu and accepted by this House last year. I must confess I have not yet closely read Mr. Harrop's report, and even if I had done so, I would have refrained at this stage from expressing my own opinion on any of the points that have been discussed therein, for the report has not yet been examined either by the Government or by the department. I know that there is some lurking suspicion in the minds of honourable members that its proposals attempt to go behind some of the accepted policies. Without expressing any opinion at this stage, whether this suspicion is justified or not, I may make some points clear. Firstly, the Government are committed to a policy of compulsion, to give preference to a policy of compulsion over other schemes of expansion on a voluntary basis. Secondly, no changes in the administrative machinery will be made, or, in fact, can be made without full discussion, and without consulting this House and public opinion. I hope that this will allay any fears that may have arisen in regard to this report. But at the same time I hope it will be admitted in fairness that Mr. Harrop has brought, within a sharp focus of discussion, the many relevant matters and ready material which must be considered before a scheme of compulsion could be given effect to. We have already placed Mr. Harrop's report in the hands of the honourable members, and we propose to invite the opinion of the district boards who are concerned with it. But I cannot leave this subject without referring to one particular aspect of this question in which I am sure many honourable members are keenly interested, namely, the relation of the existing educational grants to the financial provisions that are to be made in future. I have been considering this question for some time and we have formulated certain proposals. I am sorry I am unable to announce them

today, as they are still being examined further. But the honourable members may rest assured that in making grants in future we cannot ignore three general considerations. In the first place, we must give preference to compulsion over other methods of expansion. Secondly, we must attempt to equalize, as far as possible, the disproportionate grants that are at present given to district boards; and thirdly, we must stimulate local effort in order to bear a fair share of future expansion.

During the course of the year the district boards have benefited from recurring grants aggregating three lakhs of rupees for the further expansion of primary education. These grants will form a permanent addition to the amounts already given to the boards under the three years' contract. Government have already provided a lakh for training school buildings and three lakhs for primary school buildings. I may also briefly refer to the committee appointed to inquire into the progress of primary education amongst the Musalmans and backward communities, better known as the Wetherill Committee. I cannot make any definite statement yet, as the question is still being examined, beyond assuring the House that no hasty action will be taken which might affect any community without giving full opportunities for discussion.

Lastly, I may refer to two schemes of a new character with a flavour of personal touch. The Marris College of Hindustani Music needs no introduction to the honourable members of the House. Many of them have had occasion to notice the progress made by the students during the course of hardly six months. That there was an urgent need for an institution of this kind to save and restore a noble art and to enlist its hidden forces for the service and the advancement of national cause cannot be denied even by the most stoically minded people. Everyone will admit that music plays an important part in the training of the finer emotions. The college thus fills an obvious blank in the system of our education; and if the idea of a picture gallery at Lucknow matures, it will fill a blank in the necessary adjuncts of this beautiful city which we so devotedly adore.

The Hindustani Academy stands on a different footing. Nobody can doubt its utility, but how far it will succeed in achieving its aims in enriching both the language and literature of Hindi and Urdu and in encouraging original effort of a high standard in new directions has yet to be seen. The fact that that distinguished and gifted countryman of ours, that great educational enthusiast, Sir Tej Bahadur Sapru, has accepted the presidentship of this body augurs well for its future; and we hope that under his wise and far-sighted guidance it will not fail to achieve the high expectations that have been formed. The Academy has been formally constituted, and its inauguration will be performed by His Excellency the Governor three days hence.

Sir, I have spoken long enough, but I crave the indulgence of this House if I close my remarks with some personal reference. Sir, few Ministers enter on their second term of office after completing their first full three years. I am grateful to my constituency, to His Excellency the Governor and to the honourable members of this House for renewing their confidence in me. But I have often thought how far I have been able to justify that confidence. Sometimes I feel as one feels after the close of a day's work that I have been instrumental in doing little bits here and there, but immediately after that I am overwhelmed by the thought of what has yet to be done or what would have possibly been done if the discharge of these duties had been entrusted to

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capable hands. The figures of illiteracy, the high death-rate, the unsolved question of unemployment, the communal factions and the condition of our local bodies are enough to drive out conceit for petty achievements from the most swollen-headed amongst us. The vast magnitude and the grim majesty of the problems that remain yet to be solved even within the limited sphere of the Transferred department of a provincial Government are both inspiring and dismaying to a degree. Sir, I have never claimed that the work could not have been entrusted to more experienced hands, but this much I may claim that, in the discharge of my duties, I have never spared myself according to my limited lights. Therefore in asking the House to vote for the funds for one of my main departments, I do not base my claim for their sympathy on my capacity or success as a Minister, but I request them to judge me by one standard only, and it is this, whether in discharging my duties I have striven or not to the best of my ability to pay them back for the confidence which they have always given me in full measure.

**Pandit Iqbal Narayan Gurtu :** I beg to move a (token) reduction of Rs. 1,500 . . . May I reduce it to Re. 1, Sir?

**The Hon'ble the President :** Yes.

**Pandit Iqbal Narayan Gurtu :** I beg to move a (token) reduction of Re. 1 under sub-head "A—Grants to Universities, Allahabad University." Before I proceed to perform the unpleasant task of criticism I may be allowed to congratulate the Hon'ble the Minister for Education on the very interesting statement that he has made before the House this morning. He was perfectly right in saying that no subject has proved itself of more absorbing interest to the Council than the subject of education. Nothing stimulates the pulse of the House more than to know that a substantial amount of money is going to be spent on education, and nothing sinks the pulse of the House more than to know that huge sums are going to be spent over police and police buildings. Yesterday we were in a condition of suspended animation. We were at least hoping that the strong arm of the police would at least allow an opportunity to the members of this Council of a wordy duel if not of anything more violent. But we found that all chance of getting into grips with the Council was scrupulously avoided.

We are thankful to the Hon'ble Minister for stating, and thereby relieving the anxiety of the House, that, although in the present budget which he is presenting much money has not been allotted for education, in the supplementary estimates that will be placed before the House a few days later larger sums would be allotted for the purpose of education. An amount of Rs. 20 lakhs he has promised, and he has said that later on it is quite possible another ten lakhs may be given. That is hopeful. And it is in that hope that I am proposing my motion with regard to the Allahabad University.

Sir, the Allahabad University has now done service to these provinces for nearly forty years. It was re-organized a few years ago, when my friend the honourable member for Partabgarh was in charge of the Education portfolio. It was now entering into a second stage. The mufassil colleges that were attached to it will now form part of the Agra University. Whatever may have been the differences of opinion on that point in the past, I am sure the House is unanimously of opinion that now that the Agra University has been established we would welcome it as a sister university in these provinces.



With the formation of the Agra University and the affiliation of the mufassil colleges in that university the Allahabad University will now remain a purely unitary teaching university without any outside college attached to it. In these four or five years of its existence as the re-organized university the Allahabad University has been able to introduce many improvements and there has been considerable inner expansion. Its expenditure on the salaries of the teaching staff alone has increased during the last four years by nearly 1½ lakhs. We are trying to be as efficient as we possibly can be, regard being had to the financial assistance that we are able to receive from the Government. The Hon'ble Minister paid a handsome tribute to a member of our staff, Dr. Saha, whose splendid work drew the attention of an eminent scientist like Einstein. We are trying to have on our staff capable men and to improve our efficiency as quickly as possible, but no improvement can be made unless we have sufficient money at our disposal. I see, Sir, that my friend, the Director of Public Instruction, is staring hard at me. I shall endure, if not tolerate, his rude gaze. The House will forgive me if I state what our urgent needs are at present.

We urgently need an additional recurring grant of nearly Rs. 75,000. We have been expanding our Science department considerably, and we have attached to our University a large number of students for the honours courses and for post-graduate research. It is no wonder that with eminent men like Dr. Dhar, Dr. Saha, and others the Allahabad University should be a centre of chief attraction for science students. Our numbers have more than doubled on the science side during the last four or five years. Our expenditure on the science laboratory has also consequently increased. The Co-ordination Committee that was appointed by the Government a few years ago made its recommendations, and, while calculating the basis of its grants, it estimated the expenditure on science laboratories at Rs. 25,000. In fact, our recurring expenditure over science laboratories has already gone beyond Rs. 35,000, and in a year or two it will go very much beyond that, so that we badly need an addition of at least Rs. 15,000 a year for our laboratory expenditure. Then we have increased the salaries of our demonstrators. It is also in line with the same policy of keeping up our reputation on the science side. We have appointed more lecturers in Philosophy, Arabic, Persian, Zoology, Hindi, and Urdu, and we are making special efforts to push girls' collegiate education. We have employed lady lecturers who are now working in the Crosthwaite's Girls' College, which is a part of the Allahabad University. This increase in staff means an addition of nearly over Rs. 53,000 a year. The three items that I have mentioned, namely, the increased expenditure over laboratories, the increased salaries of demonstrators, and the increased number of lecturers that we have to employ would cost us another Rs. 75,000 a year. I feel we are justified in approaching the Council and the Hon'ble Minister for Education with an appeal that they may still show their appreciation of the work of the Allahabad University as they have done in the past. It is true that now we have in our province five universities, and necessarily the sympathies of the province would be divided. But I hope that the Council, which is the guardian of the public purse, will show equal sympathy and equal appreciation of the work of all the universities in the province. I only ask that the interest of the Council in the Allahabad University may continue to remain as keen as

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over, because it is after all the oldest university in the province. It has its own position and its own prestige. It has a record of honourable service done to the community.

Our non-recurring expenditure also is going to be very heavy in future. As the honourable members are aware the first object with which this university was re-organized was to transform it from a merely affiliating university that it was before to a teaching university and for a teaching university it is necessary that there should be a closer contact between the teachers and the students. There should be the contact of mind to mind. There should also be the contact of soul to soul that contact is not possible unless we have sufficient accommodation for our students in our hostels. It is with that object that the Allahabad University has undertaken to add another hostel. The estimate of the new hostel is something over 3 lakhs, and the Allahabad University, with its slender resources, has approached the Government for a grant; but its enthusiasm and its earnestness in this case is clear from the fact that the university has of itself taken about Rs. 1,40,000 out of its reserve fund in order to push on the scheme of a new hostel. Government was also good enough to grant one lakh in this year. We hope to hear from the Hon'ble the Minister for Education that in the next financial year also Government will be pleased to give an additional grant for this useful purpose.

Then, Sir, we have an Oriental department of the Allahabad University. Therein we have practically five departments—(1) Persian, (2) Arabic, (3) Urdu, (4) Hindi, and (5) Sanskrit. This Oriental department is housed in a building which was taken from the Indian Press. That building was certainly improved, but it could not be sufficiently improved to make it suitable for university purposes. We are still carrying on our work in that building. There was a conference of the Vice-Chancellors of the different Universities last year, and they have condemned that building as absolutely unsuitable for housing those five departments of the university. We, therefore, badly need a better kind of building for this purpose, and have approached the Government with a request that we may be granted Rs. 50,000. Then we are paying particular attention to the medical inspection of each student and their proper medical aid, and with this object we propose to have the medical officer's quarters very near the university so that he may be available at any time whenever there is an urgent need of his assistance. That building will cost us Rs. 15,000. We also need additional accommodation for zoology. The number of students taking zoology has considerably increased. In 1909 the number was only 21, and now the number is more than 100. The number has increased five times. The present lecture rooms and practical class rooms are found to be insufficient, and, unless additional accommodation is provided, the university will be obliged to cut down the number of students in zoology as it is impossible to accommodate such a large number of students. We need about Rs. 18,000 for science apparatus. I would not take the time of the House by enumerating all these items. But our urgent need in the direction of non-recurring expenditure is of a non-recurring grant of Rs. 3,00,000 from the Government. I hope that, if not to-day, a few days hence, I shall have the good fortune of hearing from the Hon'ble the Minister for Education that our request for recurring and non-recurring grants has met with the approval of the Government.

Sir, the Hon'ble Minister stated that some of our critics strongly held the opinion that it was no good spending too much money over university education; that the policy of the Government should be to make retrenchment in university education, and to divert that money for primary education. I do not propose to enter into the question of primary education, because it will come up later on; but in this connexion there is one point which our thoughtful people will, I hope, carefully consider. We have first to see what is really the root cause of our evil. Is it that we have starved primary education, or is it that we have over-fed higher education? Higher education has a definite purpose. Its purpose is to afford culture to the people, to create pioneers of industry or science, and to turn out great organizers. It is, in fact, when we consider the relations of one nation to another that we begin to realize more and more clearly that certain definite qualities are required in a nation, qualities of initiative, qualities of organization, qualities of culture and of a high standard of civilization. All these, I submit, are as essential to the progressive life of a nation as, of course, the widening of education at the base through primary education. It is true that no nation can prosper which only has higher education and starves the intellectual needs of the masses. Nor can any nation prosper, which has a large programme of primary education but at the same time starves education at the top. In the latter case the nation cannot fulfil its higher functions in the larger sphere of national life. That is, I understand, the purpose of university education. Have we reached that stage in university education where we can say that we have got such a large and abundant supply of leaders of thought and of action, of pioneers of science and industry, and of trade and commerce that it is time now that we stopped our further advance in that direction and devoted our attention merely to the expansion of primary education? I am sure the answer to that question can only be one, and it is this that in the higher sphere of our national activity we are yet so far behind other nations that we cannot afford to neglect it, and, if we make any mistake in that policy, it would only lead to this—we have starved primary education in the past, we will starve higher education in the future. A few thousands or a few lakhs that you may be able to save from higher education will never be sufficient to promote primary education to the extent that we desire. Therefore it is an absolutely suicidal policy to curtail our expenditure on higher education and utilize small savings over primary education. It can never be done. This mistaken policy may only help primary education to a fractional extent, but it can never help the expansion of primary education on a big scale from a national point of view. Therefore let us give up this talk of retrenchment in higher education and spending more over primary education. What is really needed is expansion of education all along the line, because you cannot divide education in water-tight compartments. If you promote primary education you will have to promote secondary education and push on higher education. Therefore the best policy is progress all along the line. Spend more and still more over higher education, spend more and still more over secondary education, and spend all that is possible over primary education. It is, therefore, that I ask the Council not to grudge any further expansion of higher education. It is in that hope that I have placed this proposal of mine before this House.

May I know if I can touch the question of training college here?

**The Hon'ble the President :** Training colleges is a separate item on the paper, and the honourable member might wait for it to come under discussion. I might, however, point out one thing. I can quite realize the justification of the honourable member for the Allahabad University in pleading with such eloquence and at such length the needs of the Allahabad University, but I daresay that the non-official members here are interested more or less in either this university or that university and perhaps one or other of the educational institutions. They all require money and more money for their hundred and one needs. But if every one were to speak with such eloquence and at such length on the detailed needs of their institutions what about the business before the House? I do not deny the justification of their needs, but I can only ask the House now to remember that the time is not unlimited.

**Mr. A. H. Mackenzie :** In the course of his speech the honourable member for the Allahabad University seemed to be somewhat perturbed by the fact that I was staring at him. I did not intend to be rude. The reason I was looking somewhat intently at him was that he threatened at the outset of his speech to criticize the Education department for their attitude towards the Allahabad University. I may say that I personally am an Allahabad man, and therefore I think I was naturally somewhat disquieted when I thought that the honourable member was to criticize the department for an unsympathetic attitude towards the Allahabad University; but I was relieved, as he proceeded, to find that his statement of the requirements of the Allahabad University was reasonable. I do not think that he will find us unresponsive to criticism of the kind to which we have listened. He has referred to several demands of the Allahabad University, amongst them being demands for increased staff, especially lady lecturers, for science equipment, for additional recurring assistance for science, for a new hostel, for an extension to the zoological laboratory, for quarters for the medical superintendent. As a member of the Executive Council of the Allahabad University I know that all these are reasonable demands. Some of them, indeed, urgent.

But I should not like to leave the House with the impression that while the department regards these requirements as reasonable they have taken no steps to meet them. I should like, therefore, to give the House some facts regarding the financial position of the Allahabad University. As the House knows, about two years ago there was a committee presided over by the Finance Secretary, Mr. Blunt, which laid down a block grant for the Allahabad and Lucknow Universities. That committee estimated what the income of the universities should be, what should be reasonable expenditure and they recommended that Government should give the universities the whole of the difference. They estimated the income of the Allahabad University at Rs. 2,20,000. As a matter of fact, the actuals were in 1924-25, Rs. 2,50,000, and in 1925-26 Rs. 2,65,000. On the expenditure side they estimated Rs. 9,14,000 as reasonable expenditure. The actuals were in 1924-25 Rs. 7,75,000 and in 1925-26, Rs. 8,21,000. Thus there have actually been savings in the university. The result of these savings has been considerably to improve the financial position of the university. At the end of 1923-24 there was a closing balance of Rs. 2,90,000. In 1924-25 that closing balance went up to Rs. 3,41,000. In 1925-26 it was Rs. 2,31,000, exclusive of Rs. 2,00,000, which the university had put on deposit from savings. I think it is only fair to state that the

Blunt Committee estimated the pay of the university staff on the average of their emoluments for five years, so that, in the first few years of the period for which the block grant has to run, savings were naturally made. The savings have been, as a matter of fact, larger than was anticipated. The main point I wish to bring out is that the university has so far had ample funds to meet all its recurring expenditure and to meet expenditure of a non-recurring character on its laboratories, but it has not had sufficient to provide for the larger building schemes. Also, if we are to maintain the university in financial equilibrium during the remaining years of the block grant, some addition to the grant will be necessary, especially to provide for the additional staff which the university has actually engaged. The Government have, therefore, carefully considered the needs of the university, both recurring and non-recurring. All I can say at present is that I think that if the honourable member waits until the supplementary schedules are presented he will not be greatly disappointed. He may not get all that he has asked for, but I think that, when he finds what we have attempted to provide for the university, he will be convinced that the Allahabad University is receiving sympathetic consideration from the Education department.

**Pandit Iqbal Narayan Gurtu :** With the mild rebuke that you have gently administered to me for quoting figures. . . . .

**The Hon'ble the President :** Under the fascination of your speech.

**Pandit Iqbal Narayan Gurtu :** I never knew that figures would produce such fascination ; I am, however, grateful for the advice given, and I shall not be tempted now into the discussion of figures. It is true that in the past the Allahabad University was able to make some savings. Those savings were merely on account of the fact that certain posts of professors were left vacant. The university adopted the policy—and that seems to be on the whole a wise policy—of appointing competent men as readers first and giving them a chance of improving their knowledge so that they may later on be made professors if they proved themselves sufficiently fit. Out of our savings we have appointed other additional members of the staff. I am sure the House would appreciate this policy of not wasting money over high posts, but rather employing capable men at the lower rung of the ladder and giving them opportunity to show their merit. The savings do not come to very much this year. I find that the savings amount only to Rs. 38,000. As against this there will be many other items of expenditure for which we cannot get money from the Government in the year on account of the block grant system. We shall have to meet all that additional expenditure out of these savings. We are, therefore, not making the university a sort of profitable concern, but we are trying to do as much service as we can with our slender resources. Anyhow, as the Director of Public Instruction has held out hopes that my appeal shall not go in vain I do not wish to press the motion.

*The motion was, by leave of the Council, withdrawn.*

**\*The Hon'ble the President :** I may say here that there are a number of token cuts as regards the Lucknow University, one of which is for Rs. 1,500, another for Rs. 101, and so on. The idea, of course, cannot be to reduce the amount under the Education budget by a single pie as possible. It is only to draw attention of the Government to questions I, therefore, should like the honourable movers of

[The Hon'ble the President.]

under this head to modify their cuts so that they may not defeat the object of the motion.

**Pandit Iqbal Narayan Gurtu :** I beg to move a (token) reduction of Re. 1 under sub-head "—A—Grants to universities—Lucknow University."

I hope, Sir, this proposal will remove any idea that my first speech might have given that I was only interested in one university to the exclusion of others. I hope honourable members will not consider me partial to the Allahabad University. The object with which I have proposed this cut is to elicit information on certain points.

I find, Sir, that the grant for the medical hospital is now transferred to the medical head. But there is one point of policy connected with it which I would, with your permission, like to discuss in order to get information from the Government. We find that the Co-ordination Committee recommended that grants for the medical hospital might be administered by the Inspector-General of Civil Hospitals instead of the Lucknow University. From the recommendations of the Co-ordination Committee, I will read out a sentence which is as follows:—

"The committee consulted Colonel Cochrane, Inspector-General of Civil Hospitals, and in consultation with him has made recommendations which would have the effect of transferring the expenditure on the hospital from the university budget and giving the Inspector-General a share in the hospital administration."

From the above it is clear that merely on grounds of administrative facility, the money may be disbursed by the Inspector-General on behalf of the university. The control of the medical hospital is, I hope, still in the hands of the Lucknow University and not of the Inspector-General of Civil Hospitals. What makes me feel a little nervous about it is just a small sentence in the budget memorandum of Mr. Blunt on page 51. On that page under head "Medical" I find the following statement; "The Lucknow University maintains the hospital as the agent of Government." Now, Sir, that makes the position quite different. Is the university maintaining the hospital as the agent of the Government, or is it that the Inspector-General of Civil Hospitals is the agent of the university? I find that the budget of the medical hospital is still a part of the university budget. Technically, therefore, the funds belong to the Lucknow University and the Inspector-General of Civil Hospitals is merely delegated the power of administering those funds. I hope it is not meant either now or in future that the control of the medical hospital would be in the hands of the Inspector-General or of the Government. It is only that sentence which makes me fear that if not now, it may be in future that the Lucknow University may be recognized merely as the agent of the Government so far as the administrative control of the hospital goes. I want an authoritative statement on this point from the Government.

**Dr. Shafa'at Ahmad Khan :** This point cropped up in a meeting of the Co-ordination Committee. In the Co-ordination Committee we had to consider the relation of the Medical College Hospital to the University, and I think it was on my suggestion that the committee agreed to the proposal that the control of the College Hospital should remain with the

University. I think the university has got control over the hospital, and the only thing that the Inspector-General now does is to preside at the meetings of the board of management of the hospital.

**Khan Bahadur Hafiz Hidayat Husain :** May I speak on this motion or move my own motion ?

**The Hon'ble the President :** The honourable member had better speak to this motion.

**Khan Bahadur Hafiz Hidayat Husain :** In speaking on this motion I wish to draw the attention of the Government to one particular fact. In the Lucknow University last year and I think in year before last only one student passed in Philosophy. All the same there were classes for Philosophy. My idea is that instead of bifurcating our funds like this it would be much better if we attempted specialization or centralization in universities. For example, it may be made a rule that no M.A. classes in any particular subject shall be opened unless there were a specific number of students, say ten or fifteen studying for that particular subject. Now, if that is done, there will be an attempt at specialization or, what His Excellency Lord Irwin has called distinctiveness, in universities, then we may have Sanskrit specialized in Benares University, Arabic in Aligarh, Philosophy at Aliahabad, and Commerce at the Sanatan Dharm College at Cawnpore.

Then, Sir, there is another particular point that I want to bring to the notice of the Government and that is this, that there are examinations called Maulvi Fazil and Fazil in the Lucknow University. Now, in the Lucknow University only those students who are in residence or take their lessons and instructions in the university can appear, while in the Allahabad University private students studying at other institutions can also appear. There seems to be no reason whatsoever for this distinction between the two universities. If a private student studying, say, at Nadwatul Ulama or Madarsa Waizeen wishes to appear for Lucknow University examinations and has fulfilled all those conditions that are necessary to be fulfilled, I think it is bare justice that facilities were provided for such students to appear for these examinations.

**Rai Bahadur Babu Mohan Lal :** I will most faithfully obey the orders of the President in the matter of time. I had a long list of demands for the Lucknow University with facts and figures, but my speech will be on most business-like principles. I will simply bring to the notice of the House the essential needs of the Lucknow University and then will ask the Hon'ble Minister to bear in mind all those necessities and see that some provision is made in the supplementary budget to meet those needs.

Now, Sir, if you will see the budget provision for the Lucknow University, you will find that in the year 1925-26 the provision was 12,83,; in 1926-27 it was 10,16, and odd, but for 1927-28 a provision of Rs. 8,57,873 has been made. Now, Sir, the Lucknow University was started only a short time ago and it is making very rapid progress in different branches of science and art. The needs that have been pointed out in the annal report of the Lucknow University are—

In the research branch the equipment of library is very inadequate ;

[Rai Bahadur Babu Mohan Lal.]

in the Indian History department an additional lecturer is very badly needed ;

in the department of Political Science which has newly been introduced in this university, a junior lecturer is needed ; and

in the Sanskrit department another lecturer is needed, as also in the Arabic department.

In the Faculty of Science we require a fern house, a museum for Zoology and good many apparatus. In the Commerce department there is a very great grievance about accommodation and so on. I will stop here. The report will show to the Director of Public Instruction what are the demands of the Lucknow University and I hope he will bear in mind all these demands—they are very legitimate demands—and will see that a substantial grant is made in the supplementary budget.

**Shaikh Muhammad Habib-ullah :** Before I take up the question of the Lucknow University I would like to say with regard to what fell from the honourable member from the Allahabad University, that he was surprised to hear that we were acting as agents of Government as regards hospital. So far we are running the hospital as part of the university only with this difference that the money provided for hospital is from the Medical department and not from the Education department. The hospital is under the control of, and is run by order of, the executive council of the university, so no fear need be entertained on that account.

My friend from Hardoi in his zeal—it is not only zeal but the figures printed seem to have given him a wrong impression—said that we have been depleted of our budget grant by 2 lakhs. It is not so. We stand where we were last year. Speaking with precision, I must say that to start with the budget figures of the grant to the university are disappointing. It may be said that we have a block grant. But this block grant was surely not fixed with the intention of starving the university. It was fixed on a calculation of the normal expenditure of the university and was supposed to suffice. There was a distinct understanding that for all emergent needs of the university, like other departments the university would apply to Government and that our demands would be examined and if found reasonable would be granted. Well, Sir, the block grant is challenged by many honourable friends as a bad principle. I do not admit that. I say it a very good principle, but it is the way the undertaking was given at the time of making the grant which has not been respected, that makes it bad. If the other institutions like the universities have had their block amounts, for instance, if police were to be run on a fixed block grant for the next five years, it would save a lot of time of the Council. So I have nothing to grumble about the block grant. My chief complaint is that we have not had money enough since the fixing of this block grant and that shows that Government is against the growth and development of the university.

I come now to the particular point of my demands from which it will appear that both on the academic side and on the side of construction and equipment the university is absolutely impoverished. Now that the hospital question has been raised, I may say that we get Rs. 2,37,000 yearly grant. The Inspector-General is chairman of the committee of management and he is the head of the Medical department, but with all that he has been unable to get us more money for the hospital : They put us down as—



agents, and yet we pay more for the expenses of the hospital than they pay us. No agents pay from their own pockets. On the academic side you will find from the printed list which every member has got, I think, that we want at least four lakhs for non-recurring and about Rs. 30,000 for the recurring expenditure. We have no lecturers in Indian history, in Zoology and in many other branches. One of the members of the University is a member of this House and he will be able to ventilate these grievances. As far as equipment and construction is concerned I may say that we have hardly any accommodation for our Zoology or even worse than that we have a pressing demand for Pathology for the Medical College and so on. If these demands are not met this year, when shall we ever get them? I am glad to hear from the Director of Public Instruction that he is going to give money for the similar nature of demands from the Allahabad University, which really deserves it, and I hope to get a satisfactory answer in respect to our demands which have been before him for the last few years. He has examined them and so there is no need for me to emphasize on them. I hope he will give me a satisfactory answer on these points.

**Babu Shyam Lal:** I will not take much time because most of the points I wished to deal with have already been dealt with. I would only draw attention to the Medical College. It is the only college of its kind in our provinces and supplies a great want, but there are certain departments which have not yet been started and there is a growing necessity for them, for instance, the maternity department. Our students have to go from Lucknow to Madras. If my information is correct, the Madras University is not going to allow this privilege to the university after about a year or so and if our students do not satisfy this test I think the General Council of Medical Education and Registration of the United Kingdom (London) will come down upon us. So this maternity department is a crying need. The second point I would like to mention is that the middle class people have to deal with lecturers who sit in the out-door department. We want that the position of these lecturers should be improved so that we may be able to have better class of men who will stick to their job. If my information is correct—I state it subject to correction—there are a sort of water-tight compartments in the staff. Lecturers are not promoted to readers' posts. This takes away the interest from their work. I think everybody will admit that since the listed posts have been generously thrown open to the Provincial Service the tone of the service has improved. In the same manner if this sort of provision is made, viz. that deserving lecturers could be promoted to the reader's grade, I think they will put more heart in their work and they will stick to their posts. Of course, there has been some improvement, but I am sorry to remark that the complaint which was made by Pandit Hriday Nath Kunzru some years ago on the floor of this House is still to be found. If my information is correct, and I have received this information from some of my constituents, the idea of the public is that this grand Medical College, one of the best colleges in India, is meant only for the rich class of patients. I do not think it will be at all to the credit of the university if people go away with this idea. There does exist a complaint like this, and the sooner it is removed the better it is.

The third point to which attention was drawn by Mr. David in the last Council that though this university has been started with the money received from the tax-payers of this province, even in ordinary circumstances the deities of the university show a pronounced incli-

[Babu Shyam Lal.]

non-residents of this province. Of course it is a quite different thing in the case of the appointment of experts, like professors and others. But if the university cannot find a personal assistant to the Vice-Chancellor or a registrar from among the resident graduates of the university of these provinces I think there is something wrong.

With these few words I would resume my seat.

**Mr. E. Ahmad Shah:** I would like to place some of the needs of the Lucknow University before the House. Shaikh Muhammad Habibullah has already made certain suggestions, but I will try to clarify in detail certain urgent demands which are necessary for the efficient running of the University. I will divide my references under two heads—one refers to buildings and the other to academic requirements. As far as buildings are concerned: the present buildings were not considered sufficiently spacious for accommodating the students of the various faculties. In view of that the Government have sanctioned the building of a separate block for the Chemistry department. About Rs. 50,000 were granted to start that block last year, and we hope that the remaining grant for the completion of the building will be forthcoming in the supplementary budget which will be presented on April 2. The total estimate for that building is Rs. 2-lakhs and some thousands and the university is still in need of Rs. 2 lakhs for that purpose.

The second reference to the building proposition is in connexion with the Mahmudabad hostel. Sir, when the hostel was built no accommodation was provided for a house for the warden. The university has for the last two years been putting up a demand for building a house for the warden of the hostel, which is absolutely indispensable; but so far the necessary sum Rs. 18,000 has not been forthcoming. We hope that in the supplementary budget that demand will be granted.

My third reference to the building proposition is with regard to the maintenance expenditure of university buildings. I am informed that at present only half per cent. is granted for maintenance charges, whereas it has been estimated that at least one-half per cent. of the total cost of buildings is required for their upkeep. The buildings cannot be maintained in proper condition unless a sufficient grant is given from year to year in order to keep them in the best possible condition, and we hope that in the years to come, whatever the budget will be for the university this maintenance grant will be enhanced from half per cent. to at least one and a half per cent. It should be two per cent., but we are asking for only one and a half per cent.

I shall now come to the second requirement, viz, the academic side of the university life. Honourable members of this House have been given the budget estimates of this university and I think most of them have read them carefully. I will not burden the House by giving all the details. But I would specially place before the House a few points which are urgently required for the efficiency of the university. In the medical faculty a readership in surgery is absolutely necessary and the estimate submitted is Rs. 2,510 for this year and the years to come. I hope this grant will be given by the Government so that a readership in surgery may be instituted and the work placed on an efficient basis. In the Faculty of Arts for the teaching of Hindi and Urdu, two subjects which have been

emphasized not only by this House but also by the Board of High School and Intermediate Education and by public opinion outside, a very meagre allowance is given and we have at present only junior lecturers: one in Hindi, and one in Urdu. In order to render the teaching of these two subjects more efficient, we have approached the Government with proposals to change the junior lectureships into senior lectureships. For these two posts the only grant that will be required will be a sum of Rs. 1,300. I hope that this House will support me in asking the Government to grant the sum required for the teaching expenses of these two subjects. Again, in the Indian History department the number of students is running very high. It has gone up to 173 and there are only three teachers. In our new estimates we have asked the Government to enable us to engage a new lecturer for the teaching of Indian history and to enable us to convert the post of the present lecturer into a readership. We hope the Government will consider that demand favourably.

**The Hon'ble the President:** Must the honourable member go into the details?

**Mr. E. Ahmad Shah:** I shall cut short my remarks, Sir.

**The Hon'ble the President:** I hope the honourable member will cut short the details.

**Mr. E. Ahmad Shah:** I will, Sir. My next point is about the Faculty of Science, particularly with regard to the teaching of Zoology. We have a very limited staff, the staff which was engaged six years ago. Since that time the number of students has increased and is increasing year by year. We have asked the Government to enable us to convert the present lecturer's post into a readership. If provision is made to engage another junior teacher it will enable the department to cope with the increasing demand of the department.

I do not wish to go over the other demands. They are embodied in the book which was circulated to the honourable members. I hope that on April 2, when supplementary demands are presented to the extent of 20 lakhs which have been promised for education, the university of Lucknow will get its proper share so that the equipment and staff of the university may be placed on a thoroughly satisfactory basis. With these remarks I resume my seat.

**Pandit Shri Sadayatan Pande:** The preceding honourable members have amply advocated for grants for improvements to university buildings and other things but I have a complaint to make on behalf of the aggrieved, because I am a sympathetic man. While therefore, supporting the cut in the grant to the Lucknow University, proposed by the honourable member for Allahabad University I would particularly mention the Faculty of Law, in which connexion justice has not been done both to the staff and to the students. For example, there is no grade of professors. There are only readers who are in receipt of a salary of Rs. 250 a month, while the income of the university from the faculty of Law is enormous. The second thing which I want to bring to the notice of the House is that, according to regulation 3 (i) and (ii) as in the calendar of 1925-26, certain facilities should not have been withheld from the students, as they were withheld a day previous to the law examination. Had it not been so, a number of students would have passed their examination. I

[Pandit Shri Sadayatan Pande.]

informed that certain terms of the original resolution passed by the Academic Council were suppressed by the Registrar. I hope the Government will make proper investigation and redress the grievances of the parties aggrieved.

**Kunwar Jagdish Prasad:** My honourable friend the Director of Public Instruction began his speech with the statement, which must have been received with considerable satisfaction by the honourable members opposite, that he is an Allahabad man. I was an Allahabad man. I may again be an Allahabad man, but for the present I am located at Lucknow.

I now come to the various points that have been raised during the course of the debate. My honourable friend the member for the Allahabad University made a statement that he is as much devoted to the interest of the Lucknow University as to that of the Allahabad University. I am glad to hear this statement. It is in refreshing contrast to the debates which we used to have in the past. Then questions relating to Lucknow and Allahabad used to be debated with considerable heat, and in those debates you, Sir, also took a prominent part. I think the attitude adopted by the honourable member for Allahabad is the right attitude and one which we naturally expect from an educationist of such distinction as my honourable friend. A point was raised regarding a statement made in the memorandum. I confess that I had not seen that statement before. I assure the Council that there has been no change of policy as regards the management and administration of the hospital of the Lucknow University. The university has exactly the same control over the hospital as it had before. The expression used in the memorandum that the University is the agent of the Local Government in administering the hospital may have caused misapprehension, which I trust has been removed by the statement which I have now made. I think that was the only point which was raised by my honourable friend the member for the university.

My honourable friend the member for Cawnpore, inquired as to why certain oriental examinations were not held in the Lucknow University in the same manner in which they were held in the Allahabad University. This point was raised two years ago, or probably last year, and I then informed my honourable friend that we carefully examined the ordinances which had been submitted by the Lucknow University to the Government. After taking legal opinion we found that it was impossible to carry out the examinations precisely in the manner proposed by the Lucknow University. The system that is now in vogue is in accordance with the Act, and the proposal made by my honourable friend would be inconsistent with the provisions of the Act. That is the reason why it is not possible to adopt the suggestion made by my honourable friend, the member for Cawnpore. We had a number of requests for additional grants to the Lucknow University. While my honourable friend the member for the Allahabad University said that the requirements were Rs. 3 lakhs non-recurring, my honourable friend the Treasurer of the Lucknow University said that the requirements of his university were Rs. 4 lakhs non-recurring. There were certain other requests made by my honourable friend the member representing the Indian Christian community. He gave a long list of requirements. All that I can say is that my honourable friends should

wait hopefully and patiently till the 2nd of April. Beyond that I cannot make a more definite statement.

The last point that was raised was by my honourable friend the member for Mirzapur. I think that if he will look at the agenda of the court meeting which is being held today he will find that many of the points to which he has referred are being debated over there. I would advise him to pay a visit during the lunch interval to the court meeting. But if I may say so without disrespect, I would point out that the points which he raised are the domestic concern of the university, and we might well leave them to be settled there. I think that these are the main points which were raised by different honourable members.

**Pandit Iqbal Narayan Gurtu :** I am thankful to the Government for the assurance that there is no change of policy. In these circumstances there is no need for me to press my motion.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Muhammad Habib :** I beg to move a (token) reduction of Re. 1 under sub-head "University education—A—Grants to the universities of Aligarh, Allahabad, Lucknow and Agra." It is my duty to remind the House that though I am not a direct representative of the Aligarh University, I am its representative indirectly and *ex officio*. It is therefore my duty to draw the attention of the Hon'ble Minister for Education to the needs of my university. I shall not take too much time of the Council and I shall be extremely brief. In the first place, as is shown by the budget, the Aligarh University was given a grant for the library of Rs. 10,000 a year, and we have already received the first two instalments. I would request the honourable members not to misunderstand me in my reference to the Benares University. The Benares University was given a grant of Rs. 50,000 non-recurring for the library by instalments of Rs. 10,000. We expected that the Aligarh University would get a grant of Rs. 40,000. That at least was the understanding. We have already received two instalments of Rs. 10,000 each, and I may assure this House that the remaining two instalments are urgently needed for the library of the Muslim University. The library is used fully by the students and the university has already approached the Hon'ble Minister, and I would request him, since he has now got so much money in hand, to use some of that money for giving the grant that we badly need. Secondly, I do not wish to bring again before this House the subject of the grants to the universities of Benares and Aligarh. It has already been discussed, and I believe it was the sense of this House that though these two universities are all-India institutions, yet if the Local Government were in a position to provide any funds, they would have them, because the universities are situated in this province and because 40 per cent. of the students of these two universities are of this province. Now, Sir, in the speech of the Hon'ble Minister for Education it was stated that he has 30 lakhs in hand which can be used for nation-building purposes. At the end of his speech he also said that there were difficult problems before him. From what we have seen of his work for the last three years we are extremely satisfied with the manner in which he has performed his responsible duties. Nevertheless, I would beg to submit that the educational problem of the country is one of very great importance, and that the Hon'ble Minister should

[Mr. Muhammad Habib.]

mind if his attention is drawn to some of the great needs of the present day. In the first place the educational system of our country was built about 50 years or 60 years ago and was built for a very definite purpose.

**The Hon'ble the President :** The honourable member had better reserve his observations about the system for a token cut under the entire head.

**Mr. Muhammad Habib :** I will confine my remarks to the two universities of Benares and Aligarh. I would earnestly draw the attention of the Hon'ble Minister to the duties that are performed by the two universities, and would request him kindly to see, since now that the funds are in hand for nation-building purposes, that both the universities get from the Local Government the grants that their services to the province entitled them to. I am not unaware of the painful difference between the position of the two universities. The university of Aligarh is receiving Rs. 64,000 a year, whereas the Benares University does not receive anything at present. I can speak on behalf of my colleagues there and assure you that any difference between the position of the two universities is very painful to us. Under the circumstances it would be best if in future the Local Government will give reasonable grants of equal amount to both universities, since the Government has got certain funds for nation-building purposes in hand.

**Khan Bahadur Hafiz Hidayat Husain :** In speaking on this motion I wish to confine my remarks mainly to a particular subject that is agitating the minds of the Muslim community. This is regarding the attitude which the Government is going to adopt towards the Muslim University at Aligarh. It is in the air that the Government is going to appoint a Commission to investigate into the affairs of the Muslim University. If so, I would warn them and say that this would be a most retrograde step and that it would considerably excite the minds of the Muslim community. The Muslim University is adopting measures to improve further the matters in the university. The Executive Council of the university have recently appointed a sub-committee to investigate into all the affairs connected with it, and as I am a member of that sub-committee, I can assure the Government that everything will be done to bring the teaching, the level of the examinations, etc., on the basis of efficiency and popularity.

Then, Sir, there is the grievance of the Muslim University regarding admission of private candidates to its examinations. Private candidates have not been allowed in the Muslim University for the reason given by the Government that the ordinances prohibit their admission into the examinations. Therefore unless the ordinances are amended the Government is compelled to disallow admission. I am grateful to the Education Secretary for his efforts in getting relaxation at least for this year. I may inform the Government now that the ordinances have been modified at the last meeting of the court held this month and at which I was present. These ordinances have been submitted to the Government, and I hope the Government as Visiting Board will not be chary in supporting them for submission to the Government of India and thus remove the ban placed on private students. It may be said in derogation that the Muslim University allows too many private students to sit for its examinations compared to other universities. The reasons are obvious.

In the first place, the Muslim University has no power to affiliate schools beyond the ten mile radius. The Hindu University has got that power, and consequently if there be more admissions of private students in the examinations of the Muslim University, it cannot be said that it is because the standard of the Muslim University has deteriorated or that an indiscriminate admission is allowed in the matter of examinations by the authorities.

The second reason is that in the examinations conducted by the Board of High School and Intermediate Education comparatively fewer Muslim students find or seek admission and prefer to knock at the doors of the Muslim University. This is an additional reason. If therefore private students are not allowed, the Muslim community may have reason to think that the Government is discounting the education of the Muslim boys. One word more with regard to the grant to the university. Of course, we will never be tired of asking for grants for the Muslim University at Aligarh and the Benares Hindu University, and the Hon'ble the Finance Member will never be tired of saying "No." We go on persisting and insisting. The Intermediate College of the Muslim University has incurred a debt of Rs. 90,000, and the school has incurred a debt of Rs. 40,000. This debt has been incurred simply because there was no getting out of it. The needs were so insistent that unless funds had been provided education of Muslim boys would have got a set-back. Therefore for this secondary education, if not for the university, and because in the absence of these institutions the Muslim boys would otherwise have gone to other institutions, it is the primary duty of the Government to help both the universities—the Muslim University of Aligarh and the Hindu University at Benares.

**Pandit Govind Ballabh Pant:** There is a motion in my name, but instead of moving that I thought it would be better for me to support the motion made by my friend Mr. Habib, as I had tabled mine mainly with that very object.

We have already had a number of speeches from influential quarters giving a schedule of the urgent needs of the Allahabad and Lucknow Universities. I am glad to know that the Government is going to meet their demands. The Government has given a hopeful reply and has assured the members that provision has been made in the supplementary estimates that will be presented on the 2nd April. I will confine myself only to the requirements of the Benares and Aligarh Universities. As to the Benares and Aligarh Universities, the reply that the Hon'ble the Finance Member has given more than once is well-known to every member of this House. He said that the Lucknow and Allahabad Universities had a primary charge and claim on the provincial exchequer and that the Aligarh and Benares Universities were not entitled to generous treatment. I do not care to analyse the statement made by him, but I only ask him whether in conformity with the statements made by him from time to time, the stage has not been reached when he should extend his helping hand to the Benares and Aligarh Universities. I do not grudge the contribution of about Rs. 900 per boy that is being made to the Allahabad University, nor of about Rs. 1,200 per student that is being made to the Lucknow University, but I would certainly ask the Government to fully consider how colossal would have been the addition to their

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liability if the Benares and the Aligarh Universities had not been sharing it with them. The Allahabad University is getting Rs. 870 per student and the Lucknow University Rs. 1,170. I may state, in order that there may not be any misunderstanding, that when I calculated my figures of Rs. 870 and Rs. 1,170 I had excluded the students who are studying law, as I find that the income in fees from the law students more than covers the expenditure in the law classes, and also the number studying in the Medical College, as the Medical College grant is not included here. I was rather pleased to find in the report issued by the Education department that they had done the Benares and Aligarh Universities the courtesy of including them in the number of four universities which they say exist in these provinces. I was for some time at a loss to understand how the Government had multiplied the number of their universities and had got four, for I had thought that so far as the provincial records are concerned they would not even accept that there were other universities in these provinces except Allahabad and Lucknow, and I was further surprised, though it was a pleasant surprise, when I found that they had also included the number of students studying at Aligarh and Benares in the total given by them of the university and college students in these provinces. The Government, I was interested to see, are claiming full credit for the large number of students studying in these two universities, and they were not in any way handicapped or influenced by the consideration that, Aligarh and Benares Universities not being provincial subjects, they should not include the numbers studying in the universities in their report. I am glad that they included them. I have also to tell them that the present practice leads to some misunderstanding, e.g., if the expenditure that the Government is incurring on account of higher education were distributed among the number shown in the report to find out the expenditure per head that is being met by the Government, the result would be misleading, as the Benares and Aligarh Universities do not receive any help from Government. As is well-known, the Benares Hindu University is at present under a debt of about 22 lakhs, and it has to pay about a lakh or so on account of interest. While I am espousing the cause of the Benares and Aligarh Universities, I may at once state that I feel that the type of education given in these universities is not in any way worse; I should not say more than that lest I should in any way shock the susceptibilities of the honourable members of this House. I am only going to the extent of saying that it is not worse than that imparted in the other universities; and the other point is that it is being imparted much more economically than the education given at Allahabad or Lucknow, and I feel that if the Government could extend its helping hand to these universities, we could get back a much larger and better return for the money spent there than we can get through the universities at Allahabad and Lucknow. There was a full-dress debate in January last about the Benares Hindu University, and it is not necessary for me to recite all those facts. I have only to say that the number of students at Benares is larger than that at Lucknow or at Allahabad. Then there is another point, and I think the Government cannot possibly give a satisfactory answer to that. Leaving aside their former promise of 1922 about making an advance of three lakhs to the Hindu University, and the statement that was made by such a responsible person as His Excellency the Governor when he visited the



Benares Hindu University last year, I will put a direct question to them as to what is their attitude towards secondary education. Whether the Benares Hindu University is or is not giving education to about 700 boys in the intermediate college and to about 800 or 900 boys in the high school, and is or is not the Government bound to finance at least secondary institutions to the extent of at least half of the expenditure incurred in the maintenance of such institutions? Is not the Government bound to incur half of the expenditure that is at present incurred in maintaining the intermediate college at the Benares Hindu University? There are, as I just said, about 700 boys in the intermediate class. The expenditure per head in this province out of Government funds in the intermediate colleges comes to about Rs. 150. According to that the expenditure over this intermediate college, if it had been out-side Benares, would have been about a lakh of rupees. There are about 800 boys in the high school and the expenditure *per capita* from Government funds comes to about Rs. 80 for a boy in the high school. That would give us something like Rs. 25,000. Thus the Government would have been required to make a contribution to the tune of about Rs. 1,25,000 by way of recurring grants for the maintenance of the intermediate college and high school. What justification have the Government for withholding that grant from the Benares Hindu University? Their stereotyped reply is that so far as the post-intermediate classes are concerned, they are the concern of the university, and that they are not responsible for their upkeep. But so far as secondary education is concerned, it is not open to them to take shelter under such plausible pretence for perpetuating the injustice which has been done to these two universities consistently, uniformly and continuously for so many years. So I hold that the Government should make this contribution. They should also be aware of the fact that before the Benares Hindu University was started at Benares they used to maintain a first grade college known as the Queen's College which was reduced to the intermediate status because the Benares Hindu University was opened there. So they were able to make substantial saving on that account. Is not the Government bound to pay back to the Benares Hindu University the saving that they were able to make simply because the university classes were opened by the Benares Hindu University so close to the Queen's College. Sir, I will not proceed further. I have no doubt that the Government cannot devise any ingenious defence so far as the secondary school and the intermediate college are concerned, so they ought to make an adequate grant to meet this recurring expenditure and also bear part of the non-recurring expenditure incurred in providing buildings, equipment, etc., for them. They cannot possibly escape their responsibility for making a contribution at least to the extent of a lakh of rupees per year for these secondary institutions.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Shaikh Abdullah:** I want to add a few words to what has been said by my friends on the Benares and Aligarh Universities. I do not want to make a speech in the nature of criticism or fault-finding with Government or with the Finance Member, but I want to say a few words by way of an appeal. I plead the cause of the two universities with the Hon<sup>ble</sup>.

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the Finance Member, and I remind him that he should recognize these two universities as the children of this province. Though they have been adopted by a richer, more influential and powerful body, yet the adoptive parents are not showing them proper generosity, are not treating them well and therefore they go again and again to the parents who gave them birth that they should be helped, but again and again they are told that they should go to him who took charge of them and that they had no right to come to the parents who gave them birth.

My submission is that these two universities are still helping the parent province in the discharge of its duties. They are doing mostly the work which this Government, I mean the Government of the United Provinces, should have done. There is a large number, rather there are swarms of boys, who are being catered by the Benares and Aligarh Universities. Now two speakers have already reminded the Government that if these two universities had not been in existence, the Government would have been put to a lot of extra expenditure over the education of the boys from this province who are receiving education in the two national universities.

Now, Sir, the difficulty with these two universities is that they have almost exhausted the resources of charity of the two communities. So far as the communities could help them they have been helped, but there is an unequal competition between the Government universities and these national universities. The Government universities are spending far larger amounts of money, and if the Government will show this sort of attitude towards these two universities, I think it will be very difficult for them to grow and to show any satisfactory results and to attract students. It is said that these two universities enrol more boys than they can educate. These two universities are looked upon as national universities by the vast population of India. I think 60 per cent. of the boys in the Aligarh University join from this province and 40 per cent. from outside provinces. They are the central national universities of the two communities and people of course send their children from outside places too. For such a large population I do not think that the number of students on the rolls of these universities is excessive. Even if it be excessive, still that is no excuse that because they have got a large number of boys on the rolls therefore they should not be helped by the provincial exchequer.

Now, Sir, this year the financial position of the province has enormously improved and everybody of course who is in need of help is expecting to be helped. These two universities are really in need of help and they want the help of the Government of the United Provinces. I hope that in the supplementary budget the Hon'ble the Finance Member will pay his kind and generous attention to these two universities.

**The Hon'ble the President :** The question of financial assistance to the two universities of Aligarh and Benares was debated in this House in January last. I do not know whether it is the desire of the House to traverse the same ground again today at length.

**Mr. Muhammad Habib :** By means of this motion I only wanted to bring to the notice of the Government the financial difficulties of these two universities. In the debate which took place in January the general

sense of the Council was that the two universities should be supported by the Local Government provided funds permitted. In view of the present financial position of the Government the two universities are entitled to a grant from this Government in the supplementary estimates of this year, and they can legitimately claim it. That is the meaning of my motion.

**The Hon'ble Sir Sam O'Donnell:** This question has been discussed again and again in this Council and in particular in January last, and I am afraid that I can add nothing to what I said then. Our position is and has always been that unless and until the urgent needs of our own provincial subjects have been met, we cannot provide money for the Aligarh and Benares Universities. That there are such urgent needs is not denied. I understand that many honourable members in today's debate have stressed the number of requirements of the Lucknow and Allahabad Universities which have not yet been satisfied, and the same is the case in every other department. If and when we have been able to provide for the urgent requirements of our own subjects, we shall consider sympathetically the claims of the Aligarh and the Benares University.

We are quite aware that a considerable proportion of the students of these universities belongs to the provinces, but I cannot agree that it is for each Local Government to contribute to the upkeep of these universities in proportion to the number of students drawn from each province, and I was glad to find in the debate in January last that on that point I had for once the support of the honourable member for Partabgarh.

As regards the grant for the library at Aligarh University in regard to which it appears that Sir Harcourt Butler gave a promise, I am told that an application for an additional grant over and above the twenty thousand already given has only just come in and it will be considered. As to the ordinances to which Khan Bahadur Hafiz Hidayat Husain referred, all I need say is that when the ordinances are received, they will be examined. As the honourable member is aware, they of course require the sanction of the Governor General.

**The Hon'ble the President:** The object of the motion is to impress on the Government the necessity of financial assistance to the Benares and Aligarh Universities. That being the issue, the question is that under sub-head "University education—A—Grants to universities" a sum of Re. 1 be reduced.

*The motion was put and adopted.*

**Bhaya Hanumat Prasad Singh:** I beg to move a token reduction of Rs. 1,001 under sub-head "University education—Grant to Universities."

**The Hon'ble the President:** Will you make it Re. 1 instead of Rs. 1,001?

**Bhaya Hanumat Prasad Singh:** I beg to move a reduction of Re. 1 only.

In moving this motion I wish to put before this House the case of Pandit Dhanraj Shastri, the born blind man of my district.

**The Hon'ble the President:** I am afraid he does not belong to any university

**Bhaya Hanumat Prasad Singh:** Under the head "Research."

**The Hon'ble the President :** He cannot come under the "Universities." The honourable member had better wait and speak about him under some other head.

*The motion was, by leave of the Council withdrawn.*

**Mr. Mukandi Lal :** I beg to move a token reduction of Rs. 100 under sub-head "A University education, total A."

My object in moving this token motion is to make a few observations as regards the universities. Mr. President, at the outset I would like to congratulate the Hon'ble Minister for having told us that he has made earnest endeavours in introducing marked changes in the educational system, and I think that is a great achievement. He has no control over his own purse, nor I should say over his own household, as even within the dyarchy there is dyarchy, e.g., European education is not in his charge.

Coming to the subject, Sir, I am one of those who is a great admirer of the university education in spite of the opinion on my side of the House to the contrary. I am one of those who think that money spent on university education is money well spent, and so far as I am concerned I would rather see other departments of education starved than the universities, because I think it is the universities who can produce servants of the country, statesmen, politicians and workers for the country. I have no admiration for education which produces literates who are but little better than illiterates. At this moment I would remind the House of a great pronouncement on the ideal of a university that was made on the 23rd of this month by Sir Malcolm Hailey; he said as to what our universities ought to do; addressing the Lahore College His Excellency said:—"We want above everything an education which shall evoke the best which the actual constitution of Indian life and character affords (next education in citizenship) which involves a recognition of the rights of every other class and a determination to secure a common advance; finally, education in independence of thought in the determination to secure the fullest and most complete life for the individual subject to his willing obedience to the State, wisely regulating the whole." Let us see whether the universities have really fulfilled their object. I must point out our university curriculum. It was a great astonishment to me, and it must have been to you also, Sir, that our most ancient university, that of Allahabad, until recently had no chair for civics. I think one of the primary duties of a university is to teach young men civics and political science. But I am glad to learn that a chair for political science has been recently created.

Still there is another omission, and I hope the Hon'ble Minister will soon remove it. We have asked for it before. There is no chair for arts. Is there any university in the province, whether it be Lucknow, Allahabad, Benares or Aligarh, where there is a chair for Indian arts? Is it not an anomaly that we do not teach arts in Arts Colleges. I see, Sir, in Indian arts the unity of Hindus and Muslims, unity of the past and the present; and I hope the Hon'ble Minister will see that in future special provision is made for this in the Lucknow and Allahabad Universities. I find another omission, and that is the omission of provision for the proper teaching of classical languages such as Arabic, Persian and Sanskrit. We know that in Oxford and Cambridge even foreign classical languages like Latin and Greek are taught and cultivated. But here we neglect even our own classics. Another great omission is the absence of proper provision in the universities for the teaching of our women. I

hope we have not forgotten—it must be a matter of pride to us all that in the last University examinations it was a lady who topped the list in the B.A. examination, Miss Shyam Kunwari Nehru. I think, Sir, facilities should be placed at the disposal of women so that they can come forward and fill places, so that they may be qualified even to contest our offices with you and me. Then, Sir, there is the system of extension lectures. In 1878 James Stuart started these for the first time at Cambridge; and that system has become so popular in England, that when universities are closed for vacation extension lectures are delivered by professors of Oxford and Cambridge for the benefit of “busy adults.” I hope our great universities will follow this system. I am glad, Sir, to learn that in Allahabad they have already made arrangements for this. Another suggestion I would like to make in this connexion is that we should introduce a system of exchanging professors, that is, we should get professors from other universities in India, Europe and America to come here and lecture in our colleges, and our professors should go to those universities. I would like also our universities to make provision for our professors to go on lecturing tours like the lecturers of the Calcutta University. That system should be introduced in the United Provinces also.

There is then the vexed question and a question in which most members and the Education department differ—the question of co-ordination. That was discussed at great length by a committee. I personally think that in the matter of teaching the universities should be self-contained. That is the latest idea that was carefully considered in 1919 by the Royal Commission on the Oxford University of which the Chairman was Lord Asquith. That Commission laid down its opinion:—“There could be no greater or more disastrous mistake than for the State to encourage or permit the development of Oxford as Humanities and Cambridge as a Science University. Both universities and both sets of studies would suffer intellectual and moral improvement. The great value of universities is the juxtaposition, intellectually and socially, of the best minds in diverse subjects and the constant interaction of the Humanities and Science on one another.” These two universities are the premier universities of the world; and we now see that Oxford has got departments which it never had before and so has Cambridge new departments, in order that both universities may be self-contained. Therefore the idea of an ideal university seems to be that it must be self-contained in every department of knowledge and learning, and the fad of co-ordination with a view to effect economy and avoid overlapping should be given up.

I would also like to suggest to the universities or to the Hon'ble the Education Minister that we must have chairs of foreign languages in our universities. Without a knowledge of French and German no scientific department can be perfect, because it is admitted by English scholars also that if you want to go to the root of scientific investigation and research, it is essential that in some departments a knowledge of German is necessary and in some departments a knowledge of French is necessary. Therefore, Sir, it is absolutely necessary in my opinion that they should have chairs of modern languages also.

Regarding the State control. In this connexion I would like to say that when poverty compelled the University of Oxford, which used to take pride in its independence, to ask Government for aid, they agreed to give it on condition that the university would accept Govern-

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interference. Now, it is a vital question on which there is a difference of opinion as to how far Government may interfere in the affairs of the university. So far as internal arrangements of the universities go, so far as the curricula go, I think the universities should have absolute independence. But, Sir, when it comes to suggesting to the universities to have chairs in such and such subjects, to have lecturers in such and such a subject, to bring out lecturers and professors from outside the province, I think the Government would be absolutely justified in imposing their views on the university. If we pay the university, I think we are justified in dictating to them the general line of policy. In this connexion I may say that when the Royal Commission on the Oxford University advised the Government that they should take over the Oxford University, they gave a list of subjects for which the State should give aid to the university, and that is the list of subjects I refer to; and I would like to suggest that when Government gives grants to the universities, they should earmark the grants for these subjects. The Commission suggested that Government should give grants for the salaries of professors, for libraries and museums, for research, for new professors and readers, for research laboratories, for departmental libraries and for research. These are the purposes for which they said the grants should be given to the Oxford University. I suggest that on these lines our Government also should give aid to our universities.

There is another question about which unfortunately there is again difference of opinion, and that is as to how far we should encourage the foundation of new and denominational universities. In Great Britain there are 18 universities, but we have only five universities in our province which is bigger than Great Britain. But when the question again comes before the Government of having more universities, I say, Sir, that there should not be more denominational colleges and universities in our province. In this connexion I can hardly do better than quote the words of a great authority, who is likely to be the future Governor of this province—I will not mention his name at this stage. About the denominational institutions he says:—"For my part I fear I have always been—to put the matter in the most charitable terms—a very lukewarm admirer of communal institutions in education. I recognize fully that in times when the State was lagging behind in its organization of education community interests found their opportunity and the sectional institution rapidly occupied the field. I admit that educational progress would have been far slower had these institutions not come into existence. I am not attacking the past, for there is much good in what has been done, but I regret that fate has given us only one Government college in Lahore." Then he goes on to say:—"I have no kind of doubt in my mind that our present day state would have been better if the whole field of collegiate working had been occupied by undenominational institutions."

**Babu Sampurnanand** : Is the honourable member quoting from himself?

**Mr. Mukandi Lal** : I am quoting, Sir, from the speech of His Excellency Sir Malcolm Hailey, Governor of the Punjab, which was delivered on the 23rd March at Lahore and was published in the "Pioneer" of the 25th

March. He further says:—"I should be delighted if the Legislative Council decided henceforth that no new educational grant should be given either by the province or the local body to any denominational institution". I hope, Sir, that we shall see that we go on helping the existing institutions so far as it lies in the power of the Government and the legislature. But as regards the future we should be very careful in helping denominational institutions.

In conclusion I do hope that when the Hon'ble Minister of Education comes forward with a supplementary demand he will provide funds for a chair of Indian Fine Arts for the Allahabad University and Lucknow University. In the light of these observations I hope the Hon'ble Minister will introduce changes in our universities before he comes before us next year, with his demands.

**Mr. A. P. Dube:** I do not want to take much time of the Council. I shall emphasize one or two points only. Before I do so, may I congratulate the Hon'ble Minister of Education for the laud statement which he has made this morning, from which we understand every point of improvement in the department. The point to which I want to invite the attention of the Government is to an institution in the university which has been only recently introduced, viz. the institution of Proctor. Now, this gentleman, the Proctor... ..

**Pandit Iqbal Narayan Gurtu:** Where is he?

**Mr. A. P. Dube:** He is in the university and the member for the university does not know where he is. That is a good commentary upon the knowledge of the university which the honourable member possesses. The Council, I think, knows that this gentleman has got the powers of a magistrate and exercises disciplinary action over the students. He is an old institution so far as the universities of Oxford and Cambridge are concerned. The reason why I want to invite the attention of the Government is that during the last few years there has been trouble in the Allahabad University. Before the Council understands what exactly are the duties of a proctor I may mention a little incident by way of a description of it. It is the basic idea of the universities of Oxford and Cambridge that within the precincts of those two towns they allow the ordinary magistrates to do their work. But sometimes in high-spirited moments the university students begin to take it into their heads to enact what is called "gown against town." Then the proctors suspend the powers of the magistrates and assume jurisdiction themselves. During the year that I was at Oxford and after the boat races, "the House", that is, Christ Church College, attained the first place on the river, in other words, attained the lead of the river, after 55 years. It was a great event in the life of the college. The students of that college with students of one or two neighbouring colleges decided that they should have "gown against town." After dinner the members of one or two colleges got out and then they began to assault anybody that they came across. The policemen were assaulted. The townspeople were assaulted. The townspeople also assaulted the students and then there was a sort of scuffle. (Mr. Gurtu: Were you assaulted?) I was not able to get out of my college because the gates of my college were shut. Pembroke did not join at all. After these proceedings were over in the night the proctor of the Oxford university in the morning at once assumed jurisdiction and the students who were reported against by the Police were brought forward one by one

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and he punished them by inflicting fines on them. Of course they were allowed to have their say in their defence and there were both written and oral statements. The proctor asked a young man as to why he did so. The young man replied that it would have been a great pity if he had not joined it. He said that he did so because everybody else was doing it. These young men were fined 5 shillings, 10 shillings, and so on, and allowed to go.

The report on the Education department 1926 says that the university proctor has been vested with magisterial powers to try cases of petty offences committed by students and that this will develop the self-respect of the students. Now as ordinarily happens students go out for a walk in the park and some person with a red turban responsible for the law and order of the city speaks in a harsh tone or in an uncivil tone and there is a scuffle between him and the students. I will refer to one such case, although I will not touch the most recent case because it may yet be in the court. The student concerned was hauled up and he was threatened. The authorities of the Kayastha Pathshala intervened, but nobody listened to them. Ultimately the guardian of the law and order, the superintendent of police, took such a severe view of the matter that that young man was called before all the assembled students of the Kayastha Pathshala and asked before them all to apologize to the police officer. Is that a thing which will conduce to the self-respect of the students? The heavens would not have fallen had a lighter view been taken of this scuffle. I want the Hon'ble Minister to see that the university proctor is not there simply as a joke. I would ask him to hold a conference with the Hon'ble the Home Member or such other officer as he may think expedient and give real powers to the proctor. A very recent case has occurred in which the proctor tried to take the case in his own hands and to punish the student, but the police were too powerful. He could not do anything.

The next point to which I want to invite the attention of the Hon'ble Minister is that about 25 years ago when I was a student in one of the colleges we used to have tournaments sometimes at Cawnpore, sometimes at Aligarh, sometimes at Meerut and other places under the kind auspices of the present Metropolitan of India and the revered Bishop of Lucknow. The colleges used to send in teams to play cricket, football, etc. There used to be a gathering of the students from all the colleges and it was a most enjoyable part of the college life of a student. Now that we are having so many universities I would ask the Hon'ble Minister to take a lead in the matter and to arrange inter-university games of all kinds. This would bring the universities nearer and encourage sports and have a good effect upon the character of the students.

These are the only two points which I wanted to bring to the notice of the Hon'ble Minister.

**The Hon'ble Rai Rajeshwar Bali :** First of all, I must thank the honourable members who have made personal references to me. It was indeed so kind of them to have done so. I am glad to find that not a single honourable member has suggested today, as it used to be the case in past years, that we are spending too much money on universities. On the other hand, definite proposals have been brought forward by the various honourable members of the House to suggest how more money should be spent over them. The honourable mover of the motion, Mr. Mukandi Lal, has suggested that a chair for the arts should be created in the university.



of Allahabad or Lucknow. I need not conceal my own views on this subject, as they are perhaps too well known. But the whole question of providing chairs for different subjects has to be viewed broadly. We have to consider the various propositions that are sent to us by the various universities on the merits of their relative urgency and the amount of money that is available. So far as I am aware, no such proposal has ever come before the Government. When one is received, it shall be considered. The honourable mover has also spoken on a number of other subjects, like the improvement of courses in classics, extension lectures and others. If I may suggest, it is mainly within the province of the university themselves to look into these questions. I believe that there does exist at least the system of extension lectures in the universities. He has also said that we should provide for the teaching of foreign languages. If he will care to look into the budget as it has been presented he will find that we have made provision for this very desirable object both for the University of Allahabad and that of Lucknow. Our attention to this question was drawn by the High Commissioner and we have taken the earliest opportunity of giving effect to it, because when our students go out to foreign countries they are greatly handicapped by lacking a working knowledge of these modern languages. I have not been able to follow clearly his point regarding the system of making grants to universities to be earmarked for different objects. But when we reach Naini Tal we shall carefully go through his speech and will consider the points suggested by him. My honourable friend Mr. Dube has, in his usual gallant manner, related some very interesting incidents of his life when he was in England. I must confess, like the member for the Allahabad University, that I do not know much about this system of proctors. This is another matter which we shall consider at Naini Tal. So far as I can see at the moment, his idea of having inter-university tournaments is a laudable one, and I hope that it might be possible to take definite steps in this direction.

**Mr. Mukandi Lal:** I wanted to know from the Hon'ble Minister by what process he came to impose his will which was against the will of the High Commissioner as regards the provision which has been made for the study of foreign languages in the budget of this year. If he would apply the same process and make efforts to have a chair of arts and he himself imposes his will or suggests to the universities to have a chair of fine art, then I think there will be no difficulty in having it.

**The Hon'ble Rai Rajeshwar Bali:** All I have to say is that when a university applies we shall consider the matter. It also depends on the amount of funds that are available.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Mukandi Lal:** I beg to move a (token) reduction of Rs. 100 under sub-head "B—Oriental colleges, total B" (page 105 of the Detailed Estimates).

I have already made my observations about the study of classical languages while speaking on the universities. Now I have to inquire how far the Government have proceeded in having special oriental colleges and research departments in Oriental colleges; whether it is still necessary for Indian scholars to go to France, Germany or other foreign countries to study oriental languages scientifically, and whether the Government is going to make any provision so as to give facilities for scientific study of oriental languages here, or are they going to have new colleges? That is all the information that I want.

**Pandit Govind Ballabh Pant :** Complaints have been made in this House as well as outside about the internal administration of the oriental college at Benares. The question was also discussed last year and the Director of Public Instruction told the House that he had made certain suggestions to the Government which were then under consideration. In particular I want to know if the question of the Examination Board has been decided, and, if so, what is to be its constitution? The other point that I want to know is whether it is the intention of the Government to appoint an advisory committee for the oriental college at Benares. That is all that I have to ask.

**Babu Kavendra Narayan Singh :** In connexion with the oriental college I have just to say a few words, and in doing so I wish to draw the attention of the Government to the condition of the Benares Sanskrit college. I do not wish to take much time of the House and will sum up my points by asking a few questions:—

- (1) Is it not a fact that the Sanskrit college at Benares is the oldest institution in the United Provinces?
- (2) Is it not a fact that the Government is pledged to maintain the institution?
- (3) Is it a fact that the institution is maintained by name merely and not with a view to prove efficient?
- (4) Has the Government come to the conclusion that it is a mere waste to spend on Oriental languages and an institution like the one which is of so long a standing and has grown old?
- (5) Is it a fact that the improvements that are at times made is just like administering doses of tonic to an old and infirm man to enable him to drag on his existence?
- (6) If not (a) will the Government see that the Anglo department is really attractive? (b) Will the Government be pleased to appoint a registrar for the Sanskrit examination who may be a whole-time man as it is really no less than a university? (c) Will the Government see that the research scholars there do something real and substantial?

Though examinations do not suffer under the present staff, yet I am sure with the men being engaged other important matters do suffer.

I do not wish to speak much, but after the reply I will say something, if I find it essential to do so.

**Babu Sampurnanand :** I only wish to draw attention to certain figures given on page 17 of this report from which it appears that in every case the percentage of passes is very low. If we take the Prithama, Madhayam Shastri and Acharya examinations, we find that the percentage of passes is much lower than the percentage of passes in the university examinations. I put the question the other day and the Hon'ble Minister was pleased to say that probably the students were not quite fit for the examinations and therefore they did not pass. I simply want to know whether the Government has ever instituted inquiries to find out whether this was due to the system of teaching that prevails in these institutions or whether the bad results of these examinations are due to the system of examination—to the way in which the papers have been set in the examinations.

**Mr A. H. Mackenzie :** The first point raised in the course of this discussion was the question of the provision made in these provinces for advanced teaching of oriental languages. I understand that facilities for the advanced teaching of oriental languages do exist at the various universities in the province. In the Allahabad university there is, I know, provision for advanced teaching in Sanskrit and in Persian. In the Aligarh Muslim university there is provision for advanced teaching in Arabic under a distinguished scholar. In the Lucknow university also there is provision for the advanced study of Persian and Arabic, and of course in the Benares Hindu college there is provision for the study of Sanskrit.

The honourable member for Naini Tal and the speaker who followed him made some inquiries regarding the Sanskrit college at Benares. As some members of the House may remember, the question of the organization of the Benares Sanskrit college and the system of examination there came up for discussion in the last Council. Complaints were made to the department that there were defects in the system of administration and in the system of examination. Accordingly I personally visited Benares and took considerable pains to arrive at the facts. As a result of this personal inspection I have made certain recommendations to the Government. First of all regarding the conduct of the examinations : I found that although the number of candidates has increased from about 3,000 in 1916 to nearly 6,000 in 1926, there has been practically no increase in the office staff. Obviously, therefore, some improvement was necessary in the administrative machinery and I have made detailed suggestions in that matter. I also found that in one class in particular—the Vyakaran class, the number of students was far in excess of the number that could efficiently be taught by the staff. I accordingly recommended an increase in the staff for the purpose. I also saw that arrangements for dealing with the large collection of valuable Sanskrit manuscripts in the college—classifying them and arranging them—were unsatisfactory and that the college needed assistance for keeping their catalogue of these manuscripts up to date. I therefore suggested that we should appoint an assistant librarian for that purpose.

Pandit Govind Ballabh Pant made special reference to the Board of Sanskrit Studies. He wanted to know whether the Government had in view any changes in regard to the constitution of that board. I recommended that the board should be enlarged and strengthened by the addition of certain members, one representing pathshalas preparing candidates for the examinations and three others being eminent Sanskrit scholars. I made suggestions also regarding the improvement in the library, for the provision of additional scholarships for students and for assistance to the institution to publish the original work done in the library. The financial details of these recommendations will come before the House, I hope, in connexion with the supplementary schedules. I may add that this institution deserves the special help of Government because the fee income from the examinations is much in excess of Government expenditure on them, and therefore the net cost to Government of my proposals will be practically nothing.

Mr. Sampurnanand made some reference to the standard of examinations. I have gathered from the reports of the Inspector of Sanskrit pathshalas that many of the pathshalas are inefficient institutions. One remember that they are, many of them, village institutions.

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supervision which is somewhat lax and I have no doubt that the results in the examinations are due to the fact that the tuition has been unsatisfactory. I may say that the inspector of Sanskrit pathshalas is endeavouring to raise the standard of tuition and from last year he adopted a system of model lessons in certain pathshalas in order to give the pandits some idea of efficient teaching.

I think that this reply covers all the points of inquiry made.

**Mr. Mukandi Lal:** I would like to know if the question of oriental colleges also would be included in the agenda of the Hon'ble Minister of Education at Naini Tal; whether it is to be a formal conference or whether matters will be decided at the dinner table. If the latter be the intention would he extend his invitation now so that we may look forward to it. With these remarks I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I beg to move a (token) reduction of Rs. 10 under the sub-head "University education—grants to non-government arts colleges."

Sir, under this token cut I want to draw the attention of the Government as well as of the honourable members that during this year there is a marked decrease in the grant that used to be given to the non-Government Arts colleges. If the honourable members will look at page 110 of the Detailed Estimates they will find that the actuals for 1925-26 are Rs. 4,32,410; the budget estimate for 1926-27 is Rs. 4,61,621, the revised estimate for 1926-27 is Rs. 4,35,000, while for the next year they have budgeted only a sum of Rs. 3,64,860. The decrease, I find, is about Rs. 4,000 in the recurring and Rs. 92,681 in non-recurring grants. Now I will seek the help of the memorable memorandum of Mr. Blunt to find out why this decrease of a substantial sum of no less than Rs. 95,000 has been made.

*At this stage the Deputy President took the Chair.*

On page 52 of the memorandum I find an explanation for these items in two lines. It is as follows:—

"There is a small decrease of 4, due to the budget being based on probable requirements in the ensuing year. Individual variations call for no comment." What I find, Sir, is that the requirements of non-Government Arts colleges are smaller according to the memorandum. But, Sir, if you will look into the report of the Director of Public Instruction issued very recently in 1926 you will find that their requirements are much greater. About the Bareilly college the report says:—

"Science has been introduced and first year B.Sc. class has been started in July, 1925. A science block is in the course of erection towards which a private benefactor has made a generous donation of Rs. 14,000."

This shows that there is need for recurring as well as non-recurring grants for the Bareilly college. Further on about the Meerut college the Director of Public Instruction says:—

"Meerut college has had an increase from 148 to 203 in the enrolment of graduate and post-graduate students and a large increase in the intermediate classes and the increase in the staff has been necessitated and two whole-time and part-time lecturers have been appointed."

So I find that the wants of the Meerut college are also greater. The enrolment is going up and they are increasing their staff. The grants that

are given to this college ought to be increased rather than decreased. The Director of Public Instruction about D. A.-V. college, Cawnpore, says that it has increased enrolment from 48 to 124. "Examination results were excellent, three university scholarships being gained as well as two university gold medals. Application for association in science to the degree standard will be made in 1926-27 to the university, meanwhile the science block is being constructed." There also we find that this college stands in need of both recurring and non-recurring grant.

As regards the Sanatan Dharm college, Cawnpore, the Director of Public Instruction says that they have increased their enrolment. I leave this college particularly for my friend on the right (Rai Bahadur Vikramajit Singh).

Further, as regards the St. Andrew's college, Gorakhpur, the Director of Public Instruction says that the most urgent requirement of the college is a new hostel. So there is also need of a non-recurring grant. What I find from the budget is that no non-recurring grant at all is given and there is a decrease of about four thousand in the recurring grant. I would request the Hon'ble Minister for Education to pay greater consideration to these non-Government colleges, which have been started from the general subscriptions of the public and individual persons. The Director of Public Instruction has made out a good case for every aided college, and it is for the Hon'ble Minister now to press for funds from the Finance department.

**Khan Bahadur Maulvi Fasih-ud-din :** I have got a similar motion in my name, but I will speak on this motion.

**The Deputy President :** Yes, you may.

**Khan Bahadur Maulvi Fasih-ud-din :** The enormous reductions that have been made in the budget under the head of "Grants to non-Government Arts colleges" are rather startling. It raises a suspicion in our minds that it is intended to stifle and throttle private enterprise in the matter of higher education. My friend for the Allahabad university in his oratorical and flowery speech has dwelt on the comparative merits and claims of the higher and primary education, and he has very rightly said that the one class of education should not be sacrificed in order to improve the other class of education and that both should go on the same lines simultaneously. I entirely agree with him in this matter, and I submit that it is a very unwise policy to rob Peter to pay Paul; but here we find that both Peter and Paul have been robbed. Not only the higher education has been curtailed but also the primary education has been most seriously curtailed. I want in this connexion to bring to the notice of the department the pitiable case of the Bareilly college, as has been done by my friend, Mr. Mehrotra. That college is now in a very bad way and those who are interested in the welfare of the college are trying to raise subscriptions with the benevolent help of the authorities. I do not know if the pruning knife has been applied to the grant to that college or not. It may be said that the deficiency in the budget will be supplied by the supplementary budget; but I ask why the pruning knife of economy was not applied to government educational institutions. I find that the budget of all the government colleges, government secondary schools and government primary schools is as full as it was last year. The only cuts that have been made are in the grants that are given to aided institutions or local bodies.

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**Rai Bahadur Babu Vikramajit Singh:** I stand here to plead the cause of the non-Government Arts colleges. The universities have got very strong champions in this House. The cases of Allahabad and Lucknow Universities were very ably and strongly advocated by several members of this House, and I am glad that these universities are very strongly represented. But, Sir, the case of the non-Government Arts colleges requires special attention.

I know that the Hon'ble Minister and the Director of Public Instruction are very kindly and sympathetically disposed towards these colleges; but it is unfortunate that the condition of these colleges has not been improved. Rather I will be able to show that so far as the grants go they have deteriorated to a very large extent. Now, Sir, I am glad that these two universities are getting substantial grants and requests have been made by various members of the House that they should be increased, and I am sure the Hon'ble Minister will give due attention to this matter and I am glad he has promised to give favourable consideration to it in the supplementary estimates. But the case of these colleges, I should say, is a very deplorable one. You will be pleased to see that the two universities between them teach about 2,500 or 2,600 students, and the Government spends on these two universities Rs. 15,69,380. Now, if you were to look to the condition of the eight colleges which between them are responsible for training over three thousand students and then you were to consider as to the amount of grant which has been budgeted, you will find that the treatment meted out to them is not at all satisfactory. The amount budgeted is only Rs. 3,64,860, and this grant, I am sure, covers the eight colleges; it might cover any others which I do not know. There are three colleges in Cawnpore—the D. A. V. College, the Sanatan Dharm College and the Christ Church College; then we have got a college in Meerut, one in Bareilly, the two colleges in Agra and one in Gorakhpur. So I know of these eight colleges, and their grants must be covered by this 3,64,860. Now if you were to consider that these colleges between them impart education to over three thousand scholars and get only this small grant, the disparity appears to be absolutely apparent. These colleges supply a very great need. If there had been no aided colleges and if there had been only these two residential universities, the difficulties of students would have been enormous. People from Meerut, Saharanpur and other western districts would all have to go either to Lucknow or to Allahabad. Therefore it cannot be said that these colleges in various places do not supply a very great need. From the report of the Director of Public Instruction and from my own personal knowledge it is clear that the colleges are associating themselves in various other subjects and therefore the need of the colleges is increasing; it is becoming greater and greater; but still you will find that the recurring grant has been decreased and there is no non-recurring grant at all. Now, Sir, the reason is given in Mr. Blunt's memorandum where he says the provision for 1927-28 is for recurring requirements only and is based on the amounts to which the several institutions are entitled under the rules. Now it appears to me that some new rules have been framed and they have hit these non-Government colleges very hard. From my own experience of the Sanatan Dharm College I find that the grants which I used to receive before it became an arts college were higher than I now get, although the college is now both a commerce and an arts college. The

rule, it appears, has now been framed by the department which is very prejudicial to the interests of the various colleges. At first they used to give at least to the Sanatan Dharm College which was considered to be a pioneer college in the matter of commerce, a grant of 50 per cent., and the rest of the 50 per cent. used to be found from the fees and by grants from the managing bodies or from contributions to the college, but now the position is changed. The college is asked that the managing body should contribute a certain specific sum, and after that the fees will be appropriated and the balance is to be found by the Government. Which means that the benefit of the increased enrolment and the larger income from fees all goes towards the benefit of the Government and not towards the benefit of the managing body or to the institution, and on account of this rule the amount which the managing bodies have to meet from their own funds or contributions has been practically doubled, while the grant which used to be made by Government has been reduced either by 30 or 40 per cent. Therefore it cannot be said that due attention has been paid to the needs of these colleges. I think the Hon'ble Minister and the Director of Public Instruction will agree that these colleges have to exist. They will also see that these colleges have done a good bit for themselves. They have raised funds for putting up buildings to a large extent; they have also raised funds for the maintenance of their institutions, but all this has been done mostly from private resources. The Government no doubt in certain cases has made non-recurring contributions and has come to their aid, but most of the money has been found by the institutions themselves. I submit, Sir, if these institutions had not got money for themselves and had not put up colleges, even then it would have been the bounden duty of Government to provide colleges outside Allahabad and Lucknow, and they would have had to find all the money for the Government colleges themselves, having to put up buildings and carry on the maintenance of these colleges. Therefore the matter should be looked at from this point of view that these colleges are really helping Government—it is not that the Government is helping these colleges. If it were to be considered that the primary duty of Government is to impart education and instruction, then the public at large are merely supplementing the Government exchequer by finding some money which Government would have had to find if there had been no colleges established by private aid or by private institutions. I hope, Sir, the matter is not such towards which due consideration and attention should not be paid by the Hon'ble Minister and the Director of Public Instruction. The limit of private charity has been mostly reached, and the Meerut College, the Bareilly College and the Cawnpore Colleges have all tried to tap various sources, and they have no doubt succeeded. But it is not easy now to find money flowing from private charity. The Cawnpore Sanatan Dharm College was very well supported by the gentry and public of Cawnpore as well as various other districts, but it is well known that trade has now gone down, the various commercial bodies and joint stock companies are showing losses in their balance-sheets rather than profits, therefore it is not very easy for these institutions to approach commercial men and get assistance. I know, Sir, that the Sanatan Dharm College has enjoyed a very large sympathy from various people inside and outside this House. In fact I issued only a couple of days ago an appeal on behalf of the college, and the Director of Public Instruction was good enough to send me a cheque towards the contribution to the Sanatan Dharm College as a personal contribution, which shows

[Rai Bahadur Babu Vikramajit Singh.]

great sympathy which he has for the institution. This college has also received support from the Vice-Chancellor of the University, and I think, Sir, that this is proof positive, when the Director of Public Instruction and the Vice-Chancellor contribute to an institution from their own pockets, that it does require, it does need, assistance, and that it deserves it. My friend Dr. Shafa'at Ahmad Khan, who had opportunities to visit this college, may be able to tell you personally as to the working of the institution, and it has always enjoyed sympathy and admiration of various people who have come across it. The Minister for Education himself at one time went to Cawnpore and visited the college and was good enough to give a contribution to the college. Therefore, Sir, I think that these non-Government colleges require substantial assistance from the Government. The question is not that a small sum has been reduced from the money allotted for non-Government colleges. My friend Mr. Mehrotra has pointed out a reduction of Rs 4,000 recurring and Rs. 95,000 non-recurring. I say the allotment is too small. There is a reduction, but even if there had not been the grant would not have been sufficient. You allow 15 lakhs for the universities. I wish you could give them more. But I submit, Sir, that for eight colleges which impart instruction to a larger number of students and are spread over the whole province you ought to provide in the budget at least 15 lakhs, if not more, so that these colleges may also become strong institutions and may receive substantial help, recurring and non-recurring, from the Government and may be able to be of service to the whole province. Now, Sir, so far as the institution of the Sanatan Dharma College of Commerce goes, it has been pointed out by my friend Khan Bahadur Hafiz Hidayat Husain that, as it specializes in commerce, it would be very well indeed if the other colleges or centres would leave the matter of teaching commerce in the hands of this college alone, because it has made a special study of this part of the courses and has got a very efficient and good staff for imparting commercial education. My whole object in bringing this matter before the Council is that the attention of the Hon'ble Minister and the Director of Public Instruction may be earnestly drawn towards giving substantial grants-in-aid to these various institutions which are serving the cause of education in these provinces. The small addition to it will not be sufficient—a larger addition of grants would be necessary. I may also point out here, Sir, that the scale of salaries which the universities are giving is much higher than these private institutions can give, and therefore these private institutions in order to keep up the pace with the universities, in order to be able to impart the same kind of instruction, have to spend more money and have to employ a better class of teachers and professors, and consequently their needs in the matter of recurring expenses would certainly be greater. Therefore I submit, Sir, that it must have been due either to some oversight or due to a special paucity of funds that the matter has not received sufficient care and attention at the hands of the sympathetic Minister for Education, otherwise I see no reason why these eight colleges should not receive their due share and that the grants which used to be received by these institutions previously should be curtailed to a large extent to the detriment of these colleges. This is a matter of great hardship, and I would appeal to the Hon'ble Minister and the Director of Public Instruction not to curtail the help that has always been given to the institutions, but rather to increase the assistance to these colleges, so that



they may prove themselves to be more and more useful in serving the community at large.

**Dr. Shafa'at Ahmad Khan :** My honourable friend has pointed out that the non-Government Arts colleges have done very good work for the province. He has also shown that the system of grants-in-aid which has been in operation up till now has apparently undergone some modification. Sir, the University of Allahabad sent me about two years ago to inspect the Sanatan Dharma College. I went there with two other members of the University. I inspected the college and I also went into various other arrangements made as regards the teaching of Economics and History. From my impression of the work done in the college, from a study of the various data—plentiful data—supplied by the courtesy of the college authorities, we came to the conclusion that that college deserves recognition up to M. A. standard in Economics, and up to B. A. standard in History. Let me now give my general impression of the college. I believe, Sir, that that college is a pioneer institution so far as commerce is concerned. It was the first college that brought into prominence the absolute need of teaching in commerce. Up to that time most of our students were gravitating towards ordinary arts subjects. They all crowded into the lecture rooms attended various arts subjects and left practical studies severely alone. So, I think great credit is due to the organizers of the Sanatan Dharma College for having organized a course for the degree of Bachelor of Commerce. For the present it is admitted that the college is the best college so far as the teaching of commerce is concerned. I believe, even in our own University the number of students and the number of teachers are not so large as in the Sanatan Dharma College. Moreover, I found that the college now made admirable arrangements for the residence of the students. The arrangements for the residence of students and for the tutors who gave and give tutorial instruction were, in my opinion and in the opinion of my colleagues, excellent. From all points of view I think that that college deserves the support of all persons: of all educationists in the province.

Now I come, Sir, to the question of grants-in-aid. So far as grants-in-aid are concerned, I think that the Director of Public Instruction knows that at the present time there are so many demands on the purses of the philanthropists and the generous that it is really difficult, if not physically impossible, to go on contributing to the maintenance of various institutions in this province. It is difficult to call frequently and constantly upon the generosity of all those persons for the purpose of maintaining those colleges. So, from this point of view, if from no other, I think that institutions like the Sanatan Dharma College, deserve the warmest support on the part of the Government.

Let me take the other institution, the Bareilly College. It is well-known, Sir, that for the Bareilly College my honourable friend, Mr. McNair, did exceedingly good work and the growth of the college was due to a great extent to his efforts. I feared, Sir, at the time the Act of 1921 was passed that all the outlying colleges in the province, at Meerut, at Cawnpore, at Bareilly and at Gorakhpur would disappear. I feared that there would remain only two universities in these provinces, one at Allahabad and the other at Lucknow. That fear, I am extremely glad to say, has not been realized. That policy, I am glad to say, has not been followed. That principle I am still more pleased to say, has been completely upset by the passage of the Agra University Bill into law. If that policy had been adopted

[Dr. Shafa'at Ahmad Khan.]

outlying colleges had been discontinued, the generous and pious hopes embodied in those institutions would have been shattered and it would have been an educational disaster to these provinces; higher education would have been completely stifled; intellectual advancement would have been retarded, and educational advancement would have been brought to a standstill. From this point of view I think it is a most gratifying thing that such colleges have been retained.

While supporting this motion I may also bring to the notice of my honourable friend Rai Bahadur Vikramajit Singh that last year I moved a motion in connexion with the budget debate. I then asked what provision has been made in these colleges for the security of tenure and for adequate salary for teachers. I suggested very mildly—not very obstinately—I suggested humbly that at least the managing committees should make such arrangement as would contribute to the security of tenure of the teachers. I did not mean to imply thereby that the teachers in his college were not secure in their posts. That was not my contention. That was not my motive. What I really wished to say and now desire, is this that there is a general feeling among the rank and file of teachers of associated colleges that their position is not secure, that they are liable to be dismissed and superseded, sometimes on trivial grounds. I am sorry to say that my honourable friend did not pay any attention to it at that time. I hope he has grown older and wiser and I hope that now at least he will give due regard to it. As he is the president of the premier college of commerce—a first grade college in arts—I hope now he will soften a little bit towards these unfortunate teachers. He will try at least to improve the lot of the teachers—not the lot of teachers of his college because their salary is as good as is offered by any college, but the salary of all teachers in the associated colleges. What we need is improvement in the salary of teachers, and guarantee of security of tenure.

**The Deputy President :** There is a motion in the name of Raja Kushal Pal Singh. Does the honourable member wish to speak on the present motion or move his own motion?

**Raja Kushal Pal Singh :** I wish to speak on my own motion, Sir.

**Thakur Manjit Singh Rathor :** I have got a motion on the subject, but I will not speak on my own motion as I think it will be better if I speak on the motion before the House. In this connexion I wish to speak only on one or two points. The Education department is one of those departments for which this Council has always a warm corner in their heart, and deservedly so. Therefore if we want to make any suggestion to the Hon'ble Minister of Education the suggestions should be taken in the spirit in which they are made. The chief point which I want to bring to the notice of the Hon'ble Minister is that in the Meerut division, except one institution—I mean the Meerut college—there is no college imparting instruction up to the B. A. standard, though in a district which used to be part of the Meerut division—I mean Aligarh—there is a University of all-India character. Now Aligarh is no more part of the Meerut division. Meerut division is a division in which, I think, there is very great demand for one more college imparting education up to the B. A. standard. I understand there are two intermediate colleges in the division—one at Khurja and the other at Dehra Dun. The college at Dehra,

Dun is an institution of very good standing—I mean the Dayanand Anglo-Vernacular College of Dehra Dun. That is imparting instruction up to the Intermediate standard at present. The equipment and the staff and, I think, even the financial position and the status of the institution are such that if it is raised up to the B. A. standard it will meet the requirements of the Educational department and also do real and good work.

The second point to which I want to refer is about women's education. While the subject of University education is receiving the attention of the honourable members of this House, we should remember that it is not only for the 'boys' education that we are responsible but that we should try to increase the percentage of educated girls. I believe that in our province there are three first grade colleges—one at Allahabad and the other at Benares and the third at Lucknow—which are imparting education up to the B. A. standard. In the district from which I come there are two first grade girls' schools. One is the Mission school which has been doing very good work for the last several years and which was founded over 25 years ago...

**The Deputy President:** The House is discussing colleges and not schools.

**Thakur Manjit Singh Rathor:** The other institution is known as Mahadevi Kanya Pathshala...

**Pandit Iqbal Narayan Gurtu:** Sir, I rise to a point of order. We cannot discuss these schools under non-Government colleges.

**The Deputy President:** I hope the honourable member will confine his remarks to colleges.

**Thakur Manjit Singh Rathor:** Very well, Sir. I only wanted to say that the Mahadevi Kanya Pathshala could be, with great profit, raised to the standard of an Intermediate college.

I have pointed out the need of the Meerut division for a college teaching up to the B. A. standard and I hope the Education department will do all that they can to meet this demand.

Before I resume my seat I would like to make one inquiry. In the last Council a resolution was moved by the leader of the Swarajist party, Pandit Govind Ballabh Pant, that a syllabus should be prepared to impart patriotic and national education in the colleges of these provinces and special mention was made of a certain national prayer in that resolution. I want to know what action has been taken on that resolution.

**Pandit Badri Dutt Pande:** I stood up three or four times, but unfortunately I could not catch your eye. Among the galaxy of intellectual giants, educational experts, politicians, statesmen, lawyers, doctors and journalists it is unfortunate that the views of poor Sudama, the villager, are not being heard.

Sir, there are about Rs. 30,00,000 in the supplementary demands to be spent on education. Now Allahabad University wants Rs. 3 lakhs, Benares wants Rs. 6 lakhs, Lucknow requires Rs. 4 lakhs, Agra may require Rs. 9 lakhs and Aligarh wants Rs. 2 to 3 lakhs. Thus it will be seen that very little is left for secondary education, and practically nothing for primary education. We have had all this university and college education for a long time, but what is the result? The result is that

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are having unemployment, briefless barristers and patientless doctors. We are having a lot of them. What do the students do? They do not read the newspapers but only look through the "wanted" columns. They send half a dozen applications and smoke a dozen cigarettes. If they have no money they take a loan and spend it in petty luxuries, for instance *pan*, cigarettes etc. If the House were voting money for technical, agricultural or industrial education, I would gladly have voted, but for higher education I cannot allow any money, because higher education simply means unemployment. We should put a stop to it. There are so many colleges and universities, but the poor villager does not know even the three R's. It is he who pays the most of land revenue. In every civilized country the cost of higher education is paid by rich men. For the Calcutta University Dr. Rash Behari Ghosh gave Rs. 14 lakhs and Mr. Tarak Nath Palit about the same amount. You spend lakhs of rupees in the elections. Why not give that money for higher education? Why curtail a poor man's purse. For a man who does not know what politics are and what education is, you must give money. For 5,666 college students you are spending about Rs. 25 lakhs, for 60,516 secondary students you are spending nearly Rs. 25 lakhs and for 998,592 vernacular students you are spending Rs. 73 lakhs and odd only. If you want to have more colleges or universities find employment for the students first, because when they will have nothing to do, they are sure to become agitators like myself. Then, Sir, military career is not open to them. Naughty boys of every family go to military or to police. Here they are not allowed to enter those departments because there are a lot of naughty boys in England to be provided for. I myself wanted to enter the army being a healthy hill man and physically fit. The medical officer reported nicely on me. He said I was a fit man. Then my papers went to the Commander-in-Chief who said that as I was a Brahman, he would not allow me to enter the army.

**The Deputy President :** We are not discussing physical or military affairs.

**Pandit Badri Dutt Pande :** I am saying that instead of college education we must have military education. We want more of technical education. If that had not been the case I would also have liked to establish a University in Kumaun in the cool hills if you give me 10 lakhs. You do your thinking there during summer. There will be also a lot of thinking schoolboys who cannot prosecute their studies here during the summer and they will all be going to the hills just as the European boys go there. So give me 10 lakhs and I will have a University at Naini Tal or Almora. We have too many Universities and we must put a stop to it. We must begin from the village unit. We have begun at the wrong end. We have at present first college education, then secondary education. We ought to have first primary education, then secondary, then college and then higher education. We are acting on the wrong lines. Our belly is not full, but we are pouring perfumed oil on our heads. This will not do. First fill the belly of villagers. Give them education and then comes the college education. We must begin from the beginning—the foundation. The foundation is the village and it should be well laid. If I were the Minister what I would do (of course not a transferred Minister at the mercy of the Finance Member) but if I were the Minister of my own affairs, a responsible Minister, what I would do? I would curtail this University

education and abolish this fashion also. This fashion is very much prevalent among low-paid officials and college students. They spend a lot of money over it and a lot of money is wasted. If it were in my power I would abolish all fashions, neckties, etc. A lot of money is spent on these things by college students. They spend Rs. 100 a month and they apply for a post of Rs. 40 or Rs. 30. See where we are going to. We must now begin from the beginning, from the village unit, which is the true foundation of national progress. Give more money for primary and technical education and less for college education. Private aid should be given to college education by cutting down garden parties, tea parties, dances, etc., and the money thus saved may be spent on higher education. With these words, Sir, I oppose the motion.

**Mr. A. H. Mackenzie:** First I wish to explain the figures to which Rai Bahadur Babu Vikramajit Singh and Mr. Mehrotra drew attention. They point out that in the grant for non-Government colleges, there has been a reduction in the recurring amount of about Rs. 4,000. The explanation is an easy one. As members of the Council who are connected with colleges probably know, the budget demand is based on the estimates submitted by the colleges. Sometimes these estimates are excessive. One finds that the actual grant that has been put in the budget is in excess of the actual needs of the college for the year. Accordingly, what we do is to carry over to the next year the grants paid in excess in the current year. The colleges will not receive less than what they actually need. What they receive will be partly from the amount provided in the budget and partly from the excess grant paid in the current year.

Then, honourable members referred to some passages in my own annual report—passages in which I have drawn attention to the needs of aided colleges. It was not likely that I would have written these passages solely with the object of supplying honourable members with ammunition with which to attack me in the budget debate. I pointed out the facts because I wished to draw the attention of the Finance department to the needs of the colleges. I regard myself not as one whose business it is to reduce grants or to attempt to reduce grants, but one whose main business it should be to get increased grant for all deserving institutions. As proof of the fact that I have not been unsuccessful, I would ask honourable members to compare the figures for the current year with the figures for 1924-25. I think they will find that there has been an increase in the grants to non-Government colleges by approximately 40 per cent. in that brief period. To take definite examples, Rai Bahadur Vikramajit Singh referred to his own college, the Sanatan Dharma College—a college which is doing excellent work. The grant for that college in 1924-25 was Rs. 26,430. In the current year it is Rs. 29,000. The Bareilly college, which was quoted by Mr. Mehrotra, received Rs. 20,000 in 1924-25 and Rs. 28,000 in 1926-27—a considerable increase, as honourable members will notice. In fact, we encourage these colleges to come forward with proposals for additional grants-in-aid because we know that these grants will be used for improving them.

I do not agree with the last speaker in his suggestion that we are spending too much money on collegiate education. I think we can with advantage spend even more in improving them. If a college comes forward with an application for additional assistance, the department endeavours

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to get additional funds from the Finance department. But in presenting our case to the Finance department we must adhere to certain principles of the grant-in-aid system. One principle is that there must be a reasonable contribution from the college authorities themselves and so far we have been successful in maintaining from these colleges consistent self-help in the maintenance of the institutions. Honourable members will find, I think, that when the supplementary schedules are presented, these non-Government colleges will receive a considerable addition not only to the recurring grants, but also for non-recurring expenditure.

Dr. Khan made some remarks regarding the security of tenure of teachers in these colleges. I see he is not here, but I think in fairness to the principals of these colleges and the managers, and especially Rai Bahadur Vikramajit Singh, I ought to point out that the suggestion which Dr. Khan made last year was, as far as I recollect, that the Education department should interfere between the managing bodies and the staff. Rai Bahadur Babu Vikramajit Singh rightly pointed out that that would be unfair to the managing bodies. I quite agree with him; at the same time I agree with Dr. Khan that the teachers in these colleges should have reasonable security of tenure and I am sure that the managing bodies of these institutions themselves hold the same view. In fact during the last few years, I do not recollect more than one case of a lecturer or professor of one of these colleges appealing to the department against a decision of the managing body.

Thakur Manjit Singh referred to the need for a college at Dehra Dun. I do not think that he would have educational opinion with him in a proposal which aimed at raising the existing Dehra Dun college to the degree standard. In fact educational opinion is already, I think, against the view that we should have in one institution classes ranging from the infant stage up to the Intermediate stage, and I think that a proposal that the range should be still further extended up to the B. A. stage would be severely condemned. With his proposal that the department should assist institutions to provide for the higher education of girls, we have every sympathy and if there is any well-considered scheme of the kind which he can put forward, or any other member of the House can put forward, with regard to a particular institution, I think he will see that the department is prepared to show its sympathy in a practical manner.

I might make only one further reference to the remarks of the honourable member for Almora. As I have already said, I do not think that we have too much collegiate education; I think we need to spend more than we have been spending on improving arts colleges. The only difficulty I see ahead is that there is a tendency for some of these institutions to expand beyond the number that can be properly taught by the teachers available. Some of them, I think, have already reached the limit of the numbers that can be efficiently taught. I think that the managers of these aided institutions may well give consideration to the question of the size of classes in these institutions.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** On the assurance given by the Hon'ble Director of Public Instruction that more money will be given to aided institutions in supplementary estimates, both for

recurring and non-recurring grants, I beg leave of the House to withdraw my motion.

*The motion was, by leave of the Council, withdrawn.*

**Raja Kushal Pal Singh :** I beg to move a (token) reduction of Rs. 100 under sub-head "University education, C—Grants to non-Government Arts colleges, (1) recurring grants" (page 110 of the Detailed Estimates and demands for grants). I beg also to move a (token) reduction of Rs. 100 under sub-head "University education, C—Grants to non-Government Arts colleges (non-recurring grants)" (page 110 of the Detailed Estimates and demands for grants).

My object in moving a token out of Rs. 100 is two-fold. In the first place, I desire to draw attention to an unjustifiable departure which Government has made in calculating the annual grant-in-aid to Agra College, by absorbing in it a sum of Rs. 7,611-11-0 which the college was getting till 1923 as interest on the Sicca Rs. 1,78,400 invested by Pandit Gangadhar Shastri, the founder of the college. In the second place, I want to urge on Government the necessity of giving more aid to associated colleges, which, for want of funds, find it extremely difficult to keep pace with the changed educational conditions in these provinces. I beg to congratulate the Hon'ble Minister for Education on the great expansion of education in these provinces. When the numerous schemes which were detailed by him in his speech today become an accomplished fact, history will record him as one of India's great benefactors. I acknowledge with gratitude the keen interest which the Director of Public Instruction takes in all matters relating to the improvement of higher education, but I submit that a great deal yet remains to be done to enable the associated colleges to impart the sort of teaching which is generally recognized as sound.

With regard to the sum of Rs. 7,611-11-0 to which I have already referred, I should like to point out that a comparatively small adjustment of the annual grant paid by Government to Agra College will remove a very legitimate grievance.

**Bhaiya Hanumat Prasad Singh :** The honourable member is not at all audible on this side.

**Raja Kushal Pal Singh :** The endowments of the college are derived mainly from the estates of Pandit Gangadhar Shastri, who died in 1813. This revenue is derived from three sources (1) from villages in the Aligarh district, (2) from villages in the Muttra district; and (3) from the interest on an investment of Sicca Rs. 1,78,400, which yields the sum of Rs. 7,611-11-0 yearly. In 1844, when the supervision of the colleges and Government schools in the North-Western Provinces was transferred to the local Government of these provinces, Agra College also became an aided college. In connexion with the transfer, a letter was addressed by the Accountant-General to the Secretary to Government, North-Western Provinces . . .

**Rai Bahadur Babu Vikramajit Singh :** Do we want the history of the college?

**Raja Kushal Pal Singh :** I am merely ventilating the grievance—(No. 5826, March 8, 1844) in which the vested funds of the Agra College are stated as Sicca Rs. 1,78,400, and the letter goes on to say that the college has also an endowment from village collections from the estate of the late Gangadhar Pandit assessed at Rs. 12,000 a year.

Under the former system of a *fixed* Government grant to each aided college, the three investments—from Aligarh, from Muttra, and from

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the Sicca Rs. 1,78,400—were realized independently of the grant and this is still the case in regard to the first two of these investments. But since 1923 a new system of Government grants has been in vogue, by which the grant is assessed to each college on the basis of the difference between the total estimated income and the total approved expenditure, provided that this difference does not exceed half of the total expenditure.

Under this system the third investment, yielding Rs. 7,611-11-0 a year has been absorbed into the Government grant and is no longer credited to the college as separate income. This affects the college in two ways. Not only are the total funds reduced, but the estimated income of the college is made to appear smaller than it really is, so that the difference between income and expenditure becomes greater and therefore more rapidly approaches the maximum, namely half the total expenditure. In assessing the grant for this year, Government has stated that the grant is now nearly the maximum permissible, but of the yearly interest referred to is regarded, as it ought to be, as part of the college income, this will not be the case. The college authorities desire that the interest on this endowment of Sicca Rs. 1,78,400 shall not be regarded as part of the Government grant but shall be kept separate from it. Representations have more than once been made to Government in the matter. If the justice of the claim is allowed, the Government grant to the college during each of the last three years will be less by Rs. 7,611-11-0 annually than it is stated to be, and the sum of Rs. 22,835 ought to be refunded to the college.

There is another grievance which I should like to put forward on behalf of Agra college. It is most unfortunate that in granting aid to Agra College Government does not adhere to the principle of a rupee for a rupee, that is, it does not care to contribute an amount the equivalent to that which the college itself contributes. The estimated income of the college for 1927-28 from fees and private sources is Rs. 97,325. Add to this the sum of Rs. 7,611-11-0 which represents the interest on Sicca Rs. 1,78,400 invested by the late Gangadhar Shastri and the total comes up to Rs. 1,04,936-11-0. Now this is the income of the college and Government should contribute an equal amount. But towards its upkeep especially when the college is in urgent need of funds Government contributes only the difference between the total estimated income and the total estimated "approved expenditure" and this difference according to Government calculation is only Rs. 86,806 this year. To what extent the college has been handicapped by this inadequate grant from Government will be evident when I say that the expenditure on science laboratories has been so much cut down that the efficiency of science teaching is now seriously threatened; that Hindi and Urdu classes, for which students and their guardians have been pressing the trustees of the college for the last three years, have not yet been opened and that the college library for which Government has approved an expenditure of Rs. 2,000 contains very few up-to-date books necessary for post-graduate and other students.

**The Hon'ble the President :** I may warn the honourable member that a longer speech from him is likely to damage his cause.



**Raja Khushal Pal Singh :** I shall be very brief, Sir. Agra College is having a larger number of students every year, and to meet the growing needs of the college new appointments have become essential. But unfortunately, though the college is willing to contribute its share of expenses, it becomes a mighty difficult task to get new expenditure approved by Government unless a generous view is taken of the needs of the college by Government, its efficiency is likely to be seriously impaired. For 543 Arts students at Allahabad University there is a provision of eleven teachers in English, viz., one professor, three readers, and seven lecturers. In Lucknow University for 357 Arts students there are nine teachers in English. But in Agra College, where 695 students read English, there are only six teachers, including the Principal, for teaching that subject. And one of these teachers, who on an average has to teach more than a hundred students a day, does not get more than Rs. 100 a month.

The minimum pay of a lecturer of the Allahabad University is Rs. 250 a month, rising by annual increments of Rs. 25 to a maximum of Rs. 450 a month.

**Pandit Iqbal Narayan Gurtu :** May I know whether the points which the honourable member is referring to are for the Agra University or for the Council to decide ?

**The Hon'ble the President :** I hope the Raja Sahib will now curtail his remarks.

**Raja Khushal Pal Singh :** I shall take only five minutes more. In other words lecturers in University service can, in the normal course of things, hope to rise up to Rs. 450 in ten years. Lecturers in Associated Colleges, though many of them possess admittedly high qualifications and considerable teaching experience, and have to do exactly the same work as lecturers in universities do, can never, even after years of service, hope to get a maximum beyond Rs. 250 a month. This is a matter which deserves attention, and I hope Government will be pleased to reconsider the scale of lecturers in associated colleges.

The provident fund arrangements in associated colleges are equally unsatisfactory. The colleges contribute only 5 per cent. towards provident fund, and 5 per cent. is deducted from the pay of the members of the staff. In Lucknow, in Allahabad, and in Delhi the university contribution is 12 per cent and 8 per cent. is deducted from the pay of the teachers. In other words, the universities contribute more than double of what is contributed by the associated colleges. University provident funds are free from the operation of income-tax, but this concession has not been allowed to the associated colleges.

The other day, in reply to a question put by the honourable member for Naini Tal, Government said that the average annual expenditure per scholar in the Allahabad and Lucknow Universities is Rs. 778 and Rs. 958, respectively, towards which Government contribute Rs. 666 and Rs. 709, respectively. From the general report on Public Instruction for the year ending March 31, 1926, it appears that in associated colleges the total cost per scholar is Rs. 211-2-8 per year, and I take it that Government contributes only half of it. I submit that this is not a fair distribution of the public finances in the matter of higher education. I do not for a moment grudge the Lucknow and Allahabad Universities the help \*

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 getting from Government. These two universities are doing good work, and I wish they could get more money to carry out the many improvements they have in view. What I want to point out is that Government has given Agra a University, and, unless much larger grants are given to the colleges that will constitute the new university, it will be impossible for them to increase their efficiency and hold their own against other universities in the United Provinces.

**Mr. A. H. Mackenzie:** I congratulate the Agra College on having such an earnest advocate as the Raja Sahib, who has presented the case very fully. It is a deserving case. The Agra College is the oldest college in the province and is one that has produced many eminent public men. I think that it deserves every support from Government. It is likely to receive that support, because, amongst other reasons, I may mention that my honourable colleague the Education Secretary has an hereditary interest in that college. His grandfather and uncle were closely associated with the management. The college receives at present a recurring grant of about Rs. 80,000, which is approximately half the expenditure. In 1924-25 the grant was Rs. 62,000. So that in these three years the grant has been increased by about 40 per cent. As regards the claim made by the Raja Sahib that Government should exclude from the income of a college the interest from the endowment which he mentioned I can promise him that if the request is submitted formally to the department it will receive careful consideration.

*The motion was, by leave, of the Council, withdrawn.*

**Pandit Govind Ballabh Pant:** I beg to move, Sir, that a reduction of Rs. 20,000 be made under item concerning "D (a) Rs. 1,49,160" page 110 of the Detailed estimates.

Sir, as honourable members will notice, the item I am referring to relates to the Civil Engineering College, Roorkee. The figures for the current year are given in another column just by the side of this amount of Rs. 1,49,160. The revised expenditure for the year under this head on account of pay of officers came to Rs. 1,08,000 voted and Rs. 50,000 non-voted. The provision for the next year comes to Rs. 1,49,160 voted and Rs. 57,300 non-voted. The increase next year, according to this provision, will go to the extent of about Rs. 50,000. If honourable members will turn to page 112 and see the totals they will find that the net provision for next year is Rs. 2,67,442 (?) voted and Rs. 64,100 non-voted under this head relating to Roorkee College, while the revised estimate comes to Rs. 2,13,300 voted and Rs. 54,000 non-voted. I have also referred to these figures, as there has been a reduction in the contributions from other Governments and I wanted to give net figures. So there is an increase if the whole head is taken which extends to more than Rs. 70,000, and if you confine yourself to the item concerning officers only then there is an increase of about Rs. 50,000. I have consulted the memorandum supplied by the Finance department, but find no explanation whatsoever for this increase. If they will refer to the figures budgeted last year they will find that the provision under voted came to Rs. 1,31,000 and non-voted Rs. 51,700. The figures tell their own tale. In spite of the fact that Government had provided Rs. 1,31,560 for this purpose they could not utilize more than Rs. 1,08,000 during the year. So this provision of Rs. 1,49,160, which is Rs. 40,000 above the revised estimate, is, on its face, unacceptable. I may also inform honourable members that other Governments have now withdrawn the assistance that they had been rendering

this institution so far; that is because in some provinces they have established their own engineering colleges and their students will no longer be going to the Roorkee College. Honourable members, I hope, are also aware of the fact that the military class has been abolished. No students are now sent by the Military department for training at Roorkee. I have always been under the impression, and it is my conviction, that the Government have spent money in a lavish way over this Roorkee College, and the figures that I have quoted bear out the remarks that I am making. The memorandum also says that the education in this college, instead of being very technical, will now be more of a general character. I have not got with me the calendar of the Roorkee College, but it is my impression that the total number of students in the college borders upon something like 300, while the number of members of the staff comes to about 60; so that there are about five students for every teacher. In these circumstances I think, I am justified in asking for a reduction to the extent of Rs. 20,000 only. In fact, I have dealt with the matter in a very soft way. Some of my colleagues may apply some other adjectives to me for having dealt with it so moderately. I hope the department will not find any difficulty in accepting my motion.

**Mr. A. H. Mackenzie:** The honourable member for Naini Tal has pointed out that the budget estimate for 1927-28 for the Roorkee College shows a substantial increase on that for last year. The reason is that for some time certain posts in the college have been in abeyance. In the course of last year we filled up one professorship of Civil Engineering, and from the 1st April another professorship in Civil Engineering will be filled up by the appointment of Mr. Salig Ram of the Irrigation department. In addition, we have to fill up the lectureship in Mechanical Engineering, and probably also one of the higher posts in Mechanical Engineering. The honourable member for Naini Tal seems to think that the expenditure on this college is unnecessarily lavish. I know that that opinion is held by a certain number of people. They look at the number of students, they look at the number of teachers and the total expenditure and they come to the general conclusion that the expenditure is excessive. About two years ago the budget of the Roorkee College was carefully scrutinized by a committee. That committee went thoroughly into several items of expenditure in the college and came to the unanimous conclusion that no economies were possible. The fact of the matter is that engineering is highly specialized work. If we are to give to our students a training which will enable them to carry out efficiently the duties they have to perform, we have to employ in the college a number of lecturers which is large relatively to the number of students. In an engineering college each teacher of a branch of the subject must be a specialist in that branch if the instruction is to be efficient. If you compare the strength of the staff of this college with the strength of the staff of a good institution in England, I think you will find that, so far from being lavish in the matter of staff, we have been modest. We have to remember in considering the budget of the Roorkee College that it provides the means for training those who are to take the place of the present Imperial Service of Engineers. Roorkee is to be in future the recruiting ground for the Public Works department in these provinces. If we are to maintain a high standard in the Public Works department, it is essential that we should maintain a high standard in the education given at this institution. I do not think the Council will be well advised in lightly reducing the provision.

[Mr. A. H. Mackenzie.]

the budget on account of staff. It is easy to work out a rule of three and say, "You have got so many students, you have got so many teachers, and therefore you have a high percentage of teachers to students." But one has to consider the nature of the work to be done in the institution. Personally I regard it as a matter of vital importance to maintain the efficiency of instruction given at Roorkee. Otherwise the result will be undoubtedly to discredit the whole policy of Indianizing the service of engineers. We shall be turning out from this institution a class of men who will compare unfavourably with the engineers who hitherto have occupied the higher posts in the Imperial service. I would, therefore, appeal to all those who can take a long view in this matter to leave the staff of this institution at its present strength.

**Mr. C. Y. Chintamani:** I have also a motion in my name on the order paper with regard to this institution. It comes next after Pandit Govind Ballabh Pant's motion, and it is for a reduction of Rs. 25,000. But now that my honourable friend has made his motion I shall be content with according my support to it instead of making my motion as an amendment substituting Rs. 25,000 for Rs. 20,000. My intention in giving notice of my motion was to draw attention not only to the facts which have already been placed before the Council by my honourable friend to the right, but further to ask the Government to state why the Roorkee College press still continues to be in existence as a part of the College.

**The Hon'ble the President:** Does this come under the "pay of officers?"

**Mr. C. Y. Chintamani:** Very well, Sir, I shall refer to the press on another motion. I will confine myself to the subject matter of this motion. Here I have not to recapitulate what has been stated by the honourable mover, but to attempt a more or less feeble reply to the very forcible observations of the Director of Public Instruction on the inadvisability, the short-sightedness, and what not of the Council according its support to this motion of reduction.

The Director of Public Instruction has drawn attention to the amount that is spent upon engineering colleges in Europe. We, too, are in the habit of indulging in such comparisons. I am not aware, however, of many occasions when the points of view from which we instituted such comparisons were treated seriously by or carried conviction to the minds of the honourable members opposite. If it is a question of increase of expenditure or of any restrictive rules, comparisons with England and other countries come handy to the honourable members opposite, just as in our case, when we have to press other points of view upon the Government we draw their attention to the contrast between the position of the two countries. Will the Director of Public Instruction say whether there is any engineering college in England or other countries of the West which is a purely departmental institution like the Roorkee College instead of being a University institution. The Director has been necessarily a close and careful student of affairs relating to his department and the Roorkee College is, I think he will not disagree with me, one of the out-houses of his department, and he cannot be unaware of the long history of the question of the association of the Roorkee College with the University.

**Mr. A. H. Mackenzie:** I rise to a point of order. Is the honourable member for Partabgarh in order in discussing the association of the Roorkee College with the University under this particular motion?

**Mr. C. Y. Chintamani:** If the Director of Public Instruction had been just a little more patient he would have seen that there was at this moment no necessity for him to rise to a point of order. He might have seen a little lower down on the next page a token motion of reduction in my name, and that is intended to enable me to raise a full discussion upon that question, in respect of which myself and other members on this side of the House have a very real complaint to make against the present Government. I have mentioned that point to show that if the Director of Public Instruction is anxious to make a debating point of a contrast between the expenditure on engineering colleges in Europe and the expenditure that is incurred upon the Roorkee College he cannot escape his attention being drawn, inconvenient though it may be, to certain other points of comparison between the two as being relevant factors which require consideration. There is nothing irregular or out of order in my mentioning this as a part of my argument. My honourable friend to the right has just reminded me to point out that the efficiency of the institution is a factor of great relevancy to this debate after the Director's speech, and he and I are both of opinion that the efficiency of the Roorkee College will increase if, instead of being an isolated institution unconnected with a larger educational organization in the provinces, it were to be associated with a university and if it were treated as a purely educational institution of a college or university status.

The next point that the Director of Public Instruction has emphasized is that in future officers of the Public Works department are to be trained at the Roorkee College, and, if we tamper with its efficiency by venturing to move a reduction of the expenditure provided for in the budget, then we shall be interfering altogether with the proposals for the Indianization of the Public Works department. The Director of Public Instruction might well have been aware that the Roorkee College, since its inception to the present day, has been supplying officers to the Public Works department. It is not a matter for the future. In fact, in the vast literature relating to this college one of the points made by departmental men against the proposal of reformers to bring it under university control is that it is an institution designed to supply officers to the department and that purpose will not be well served if the institution were not under the control of the Public Works department if instead the control were transferred to the university. It is the Public Works department which has predominated in the control of the policy and affairs of the Roorkee College to such an extent that the predecessor of the present Director of Public Instruction was never tired of complaining publicly against an arrangement which made him nominally responsible for the college and yet vested the real control not in him and his department but in the Public Works department. Probably the Director of Public Instruction has in mind the recommendation of the Lee Commission, said to have been accepted by the Secretary of State, that in the future in departments relating to transferred subjects there shall be no recruitment for all-India services from abroad, that the services shall be provincialized, and that, therefore in recruiting officers for the Building and Roads, Public Works department, reliance will be placed mainly, if not wholly, upon the Roorkee College.

[C. Y. Chintamani.]

Very well. May I inquire whether the Roorkee College, when the expenditure upon it has not been increased in the manner that is now recommended has failed to provide efficient officers for either branch of the Public Works department? But one circumstance should suffice to dispel any such illusion. The officers who preceded the two Chief Engineers who are now serving the Government in the Irrigation and the Buildings and Roads branch were very efficient men. I know at least one of them, Mr. Verrières, late Chief Engineer and Secretary to Government, an officer who, I might mention, was regarded as a man of exceptional ability by the local Government—was a Roorkee product. A perusal of the Civil List and of the History of Services of gazetted officers will not take long to convince the Director of Public Instruction that the Roorkee College has not in the past been a failure in serving the departmental purpose of supplying efficient officers, and the picture he drew of the disastrous consequences that would overtake us if this cut of Rs. 20,000 be made in the budget is really more in the nature of a warning to non-official members not to sign the blue slip with us than a criticism of substance. The Director has referred to the attempt made two years ago to introduce economy in the college and to the conclusion of the committee which investigated the subject that without detriment to efficiency there could be no reduction of the staff. My honourable friend to the right has not got up to suggest a reduction of staff. He has drawn attention to the increase in expenditure, and he has pleaded that without detriment to efficiency you can save this Rs. 20,000. I am of opinion that efficiency is no more synonymous with increased expenditure than, as the Director of Public Instruction has said, there can be a simple rule of three to enable you to say so many students, so much expenditure per student, therefore a total of so much and not more than that. It is one of the obsessions of the Government as it is constituted in this country and of the administration as it has been going on that efficiency cannot be had except by the provision of costly buildings, increased expenditure, and the appointment of costly staff, if imported so much the more efficient. Some time ago a gentleman connected with that college happened to ask me, 'Is the Roorkee College staff going to be Indianized?' I said 'Why not?' He replied: 'But don't you want it to be efficient?' When I said: 'What is the relevancy of this question? Does Indianization mean deterioration of efficiency?' his face became very grave. He said: 'If the college is to be worthy of its past traditions you should be very careful in introducing Indians in the staff. That will certainly mean lowering of the standard.' I do not say that this is the point of view of the Director of Public Instruction. At all events, he has said nothing to justify anyone in drawing the inference that that is his point of view. But that is the point of view of several people who have been connected with the Roorkee College. I do not know to what extent the process of Indianizing the staff of the Roorkee College has advanced. I do not want to say that there has been a set-back. I have not been able to make a sufficiently minute examination of the changes made in the staff during the last three or four years to feel myself justified in stating whether there has been an advance or stagnation or a set-back. I hope the Hon'ble Minister for Education or the Education Secretary will be able to throw light on the point. At all events, I make the unhesitating statement, and I make it with confidence, that a reduction of Rs. 20,000 in the budget of the Roorkee College

will not make for deterioration of efficiency, and, if there is a serious will on the part of those who are responsible for that institution and on the part of those others who are in control over them, efficiency will not suffer if this additional expenditure of Rs. 20,000 is not provided. With a realization of my responsibility I give my convinced support to the motion that has been made before the Council.

**Kunwar Jagdish Prasad :** I quite agree with my honourable friend, the member for Partabgarh, that comparisons made between a college in India and a college in England are apt to be fallacious. I will, therefore, accept that proposition and make no comparison between the expenses of a college in England and a college in India. But I think I shall be justified in comparing the expenses of this college during the time when my honourable friend, the member from Partabgarh, was the Minister of Education and was responsible for the affairs of the college and the expenses of that institution under the present régime. I think, Sir, that would be a legitimate and justifiable comparison. Well, Sir, I hope my honourable friend will agree that during the time that he was Minister three professorships were in existence—the professorship of sanitary engineering, the professorship of railways, and the professorship of electrical engineering and physics. During the coming year we are filling the post of one professor out of two which were held in abeyance. Next year there will be one post less than during the time when my honourable friend was the Minister of Education. I, therefore, wish to inquire, when he held charge, when he was not in opposition, when he realized that the administration had to be carried on, and when he was responsible not only to the members here but also outside, whether he made any attempt to reduce the staff. Did he take any steps to institute a committee to go into the question as to whether the staff of the Roorkee College was excessive? On the other hand, what did he do? After the post had been filled by my honourable friend a committee was constituted. This committee went very carefully into the whole question. Its recommendation came before an Advisory Committee, and what did the Advisory Committee say? They said that no economy was possible, and yet my honourable friend here says with confidence, that if Rs. 20,000 is reduced the college will still remain efficient. If this Rs. 20,000 is reduced it will mean that the number of officers whom we propose to employ will be less by two than the number of officers which were employed at the time when my honourable friend was the Minister.

I shall now take up the question of Indianization of the staff, because that point has also been raised by my honourable friend. Well, during his time the head of the Roorkee College Press was a European, the Principal was appointed by my honourable friend, and he was a European. What is the position now? The head of the Roorkee College Press is an Indian. We are offering the post of Professor of Civil Engineering to an Indian. We offered another post of Professor to an Indian last year, but when he did not accept it we gave it to a European. So I think the House will acquit us of the charge that we have not safeguarded the interests of Indians in the Roorkee College.

Now I come to the question of the affiliation of the college to the Allahabad University. I do not know whether this point will come up for discussion on the token reduction, or whether I can take it up now?

**The Hon'ble the President :** I think that should come separately.

**Kunwar Jagdish Prasad :** I only mentioned this because this question was raised, and I thought that by raising this issue perhaps some of my honourable friends might be prejudiced against the particular motion which is now before the House. I can assure the honourable members with the same confidence with which my honourable friend said that the reduction of the staff would not lead to inefficiency, that we have got a complete answer to the question why the Roorkee College has not been affiliated to the Allahabad University. That question, I hope, I shall have an opportunity of discussing before this House on Monday. But I would like honourable members not to bring that issue at all in discussing this question. Here the simple proposition is whether with the staff which we propose to employ, which is less than the staff that was employed at the time when my honourable friend was Minister, whether with a diminished staff the Roorkee College will still continue to be as efficient. I do not deny that if you do away with two or three members of the staff the college will still go on, but I hope honourable members will agree that if a competent committee says that the staff is not excessive, if the Advisory Committee of that college says that the staff is not excessive, then I think honourable members will give some weight to the opinion of these responsible bodies who have had an opportunity of discussing the whole question, by making an inquiry on the spot, by questioning professors, and by having all materials before them. If they have come to the conclusion that the staff is not excessive then I hope that this House, which has not got all the materials, except the statement of my honourable friend, will not throw aside the recommendations of those responsible bodies, one of which included the Hon'ble the President of this Council.

**The Hon'ble the President :** I hope the honourable members will not draw me in this controversial matter.

**Kunwar Jagdish Prasad :** I beg to withdraw that remark; but as a matter of fact the Hon'ble the President was a member of that committee.

**The Hon'ble the President :** As a non-official member of this House.

**Kunwar Jagdish Prasad :** There is one small point about the figure of Rs. 6,300. I understand from Mr. Blunt that Rs. 6,000 has been transferred from page 111 of the budget from the head "Pay of Establishment," so that this Rs. 6,000, apparently additional expenditure, is merely an account's entry. I hope I have shown that there is really not sufficient evidence before us to justify a reduction in the expenditure.

*The Hon'ble the President then adjourned the Council until Monday, March 28, 1927.*



## APPENDIX A.

(See page 880 *supra*.)

Statement referred to in the answer to starred question No. 1 for March 26, 1927, asked by RAI BAHADUR BABU VIKRAMAJIT SINGH SAHIB.

(a) Allahabad	...	...	...	...	23
Cawnpore	...	...	...	...	55
Lucknow	...	...	...	...	59

(b) A statement showing the duration of the 137 cases would be very lengthy and would serve no useful purpose. None of the cases pending on January 1, 1927, have been pending for more than a year.

(c) Government do not understand what is meant by this question. On January 1, 1927, twelve applications for discharge were pending in Allahabad, eleven in Cawnpore and seven in Lucknow.

(d) In the year 1926 schedules of debts were prepared in 35 cases in Allahabad, seven cases in Cawnpore and 39 cases in Lucknow.

(e) In 1926 final dividends were paid in fourteen cases in Allahabad, four in Cawnpore and four in Lucknow.

			Rs.	a.	p.
(f) Official receiver, Allahabad	...	...	11,653	3	10
Ditto Cawnpore	..	...	95,848	8	6
Ditto Lucknow	..	...	57	3	7

(g) The balance in the hands of the official receivers varies almost from day to day. In order to find out how long each portion of the balance in an official receiver's hands has been with him it would be necessary to inspect a very large number of records. Government do not consider that they would be justified in asking the district judges to undertake such an inquiry.

(h) In Cawnpore part of the money is placed in fixed deposit with the Imperial Bank.

(i) The records of insolvency cases are usually consigned to the record room as soon as an order of adjudication has been passed, and are called for again when an application for discharge is made or any other subsequent proceeding is taken. It is unusual for a case to remain pending without an adjudication order being passed for more than a month or so.

## APPENDIX B.

(See page 882 *supra*.)

Statement showing the grants paid to the oriental institutions during the last four years.

Year.	Number of institutions in existence.		Number in receipt of Government grant.		Aggregate amount paid.		Average per year.	
	Sanskrit Path-shalas.	Arabic Madrasahs.	Sanskrit Path-shalas.	Arabic Madrasahs.	Sanskrit Path-shalas.	Arabic Madrasahs.	Sanskrit Path-shalas.	Arabic Madrasahs.
					Rs.	Rs.		
1923-24	453	97	62	35	15,522	30,240	289	1,209
1924-25	473	99	61	34	23,970	30,840	363	1,265
1925-26	531	101	72	28	28,032	33,480	389	1.
1926-27	623	106	77	29	31,752	35,244	412	

*Statement showing number of Arabic madrasas and Sanskrit pathshalas that applied for preliminary grants to be given in 1926-27.*

Serial number.	Name of district.	Name of institution.	Amount of grant applied for.	Amount of grant sanctioned.	Remarks.
		<i>Sanskrit pathshalas.</i>	Rs.	Rs.	
1	Allahabad ..	Shri Harsha Savitri Sanskrit Pathshala, Daraganj, Allahabad.	25 p.m.	25 p. m.	
2	Gorakhpur ..	Kuvernath Sanskrit Vidyalaya, post office Kasiya, district Gorakhpur.	60 "	60 "	
3	Ditto ..	Anathpalhui Sanskrit Pathshala, Bairiya, post office Kasiya, district Gorakhpur.	15 "		
4	Ditto ..	Maha Para Nirvana Vidyalaya, Math Kurwar, Kasiya, district Gorakhpur.	25 "	25 p. m.	
5	Ditto ..	Sanskrit Pathshala Ramanuj Kote, village Ramdih, post office Belghat, district Gorakhpur.	20 "	20 "	
6	Ditto ..	Sri Radha Krishna Sanskrit Pathshala, Deoria, district Gorakhpur.	30 "	25 "	
7	Muttra ..	Sri Ramanuj Vedanta Vidyalaya, Totadari Math, Brindaban, district Muttra.	50 "	25 "	
8	Do. ..	Sri Chandi Sanskrit Pathshala, Hapur, district Meerut.	50 "		
9	Rae Bareli ..	Baillie Sanskrit Pathshala ..	150 "	75 p. m.	
		<i>Arabic madrasas.</i>			
1	Bareilly ..	Madrasa Panjabiyan, Bareilly..	600 p. a.	25 p. m.	
2	Farrukhabad	Madrasa Shafiq-ul-Islam, Farrukhabad.	600 "	25 "	
	Ditto ..	Madrasa Haji Ilahi Bukhsh, Kanauj, district Farrukhabad.	600 "	25 "	
	Allahabad ..	Madrasa Azizia Mahgaon, Allahabad.	600 "	50 "	
		Total ..	..	125 "	

Statement showing number of Arabic madrasas and Sanskrit pathshalas that applied for preliminary grants to be given in 1925-26.

Serial number.	Name of district.	Name of institution.	Amount of grant applied for.	Amount of grant sanctioned.	Remarks.
<i>Sanskrit pathshalas.</i>			Rs.	Rs.	
1	Azamgarh ..	Sri Ram Pathshala, Lakshmanpur, tahsil Nizamabad.	25 p.m.		
2	Ditto ..	Sarga Veda Vidyalaya, Hanuman-gadhi.	40 "	15 p.m.	
3	Ditto ..	Sannyasi Sanskrit Pathshala, Raezadepur, tahsil Jeahpur, post office Sagri.	30 "	15 "	
4	Basti ..	Vidya Dharma Pravardhini Sanskrit Pathshala, Menhdaval, tahsil Khalilabad.	25 "	..	
5	Do. ..	Brahmanand Sanskrit Pathshala, old Basti.	50 "	30 p.m.	
6	Gerakhpur ..	Sanskrit Pathshala, Bairia, Kasia..	10 "	..	
7	Ditto ..	Sanskrit Pathshala, Tilaura ..	30 "	..	
8	Ditto ..	George Vijai Sanskrit Pathshala, Rampur Karbhana, tahsil Hattia.	20 "	15 p.m.	
9	Ditto ..	Sanskrit Pathshala, Amarapur, post-office Banegaon.	30 "	15 "	
10	Ditto ..	Sanskrit Pathshala, Bridgmanganj..	30 "	15 "	
11	Benares ..	Dayanand Anglo-Vedic Sanskrit Pathshala, Maidagin, Benares city.	25 "	..	
12	Do. ..	Ganesh Pathshala, Tripura, Bhairavi.	..	..	
13	Do. ..	Paramhansa Sanskrit Pathshala, Lahori Tola.	20 p.m.	..	
14	Aligarh ..	Dharma Samaj Sanskrit Pathshala	40 "	..	
15	Bulandshahr	Sri Reghuraaj Sanskrit Pathshala, Shikarpur.	20 "	..	
16	Ditto ..	George Sanatan Dharma Anglo-Vernacular Sanskrit Maha Vidyalaya, Sikandrabad.	40 "	..	
17	Ditto ..	Vedanga Pathshala, Narwar, post-office Narora.	50 "	..	
18	Saharanpur	Yogashrama Vidyalaya, Mayapuri, Hardwar.	25 "	25 p.m.	
19	Gonda ..	Sanskrit Pathshala, Ishwranand Kuti, post office Srinagar.	15 "	..	
20	Bareilly ..	Rishikul Sanskrit Vidyalaya, Bhoor	10 "	..	
21	Do. ..	Arya Samaj Sanskrit Pathshala, Bhoor.	25 "	15 p.m.	
22	Partabgarh	Raghuraj Sanskrit Pathshala, Buiti.	17 "	..	
23	Jaunpur ..	Dewa Datta Sanskrit Pathshala, mohalla Husainganj, post office Shahganj.	25 "	..	
24	Sultanpur ..	Sanatan Dharma Sanskrit Pathshala, Bilwai.	40 "	..	
25	Fyzabad ..	Deva Vidyalaya, Sari, post office Shahganj.	30 "	15 p.m.	
26	Mirzapur ..	Pandeya Sanskrit Pathshala, Ahraura.	25 "	15 "	
27	Do. ..	Sanskrit Pathshala, Khaira, post office Chunar.	20 "	..	
28	Jhansi ..	Sanskrit Pathshala, Talbehata, sub-division Lalitpur.	30 "	20 p.m.	
<i>Arabic madrasas.</i>					
1	Moradabad..	Madrasa Imdadia, Moradabad ..	50 p.m.	50 p.m.	
2	Meerut ..	Dar-ul-Uloom, Meerut ..	100 "	100	

Statement showing number of Arabic madrasas and Sanskrit pathshalas that applied for preliminary grants to be given in 1924-25.

Serial number.	Name of district.	Name of institution.	Amount of grant applied for.	Amount of grant sanctioned.	Remarks.
		<i>Sanskrit pathshalas.</i>	Rs.		
1	Azamgarh ..	Sri Ram Sanskrit Pathshala, Lakshmanpur, tahsil Nizamabad, district Azamgarh.	25 p. m.	..	No grant was sanctioned by Government on account of the financial stringency.
2	Basti ..	Vidya Dharma Pravardhani Sanskrit Pathshala, Monhidval, tahsil Khalilabad, district Basti.	25 "		
3	Do. ..	Brahmanand Sanskrit Pathshala, Old Basti, Basti.	25 "		
4	Gorakhpur..	Sanskrit Pathshala, Bairia, Kasia, district Gorakhpur.	10 "		
5	Ditto ..	Sanskrit Pathshala, Tilaura, Kasia, district Gorakhpur.	30 "		
6	Benares ..	Dayanand Anglo Vedio Sanskrit Pathshala, Maidagin, Benares city.	20 "		
7	Do. ..	Ganesh Pathshala, Tripura Bhairavi, Benares city.	20 "		
8	Do. ..	Param Hansa Sanskrit Pathshala, Lahori Tola, Benares city.	20 "		
9	Aligarh ..	Dharma Samaj Sanskrit Pathshala, Aligarh.	40 "		
10	Bulandshahr	Sri Raghuraj Sanskrit Pathshala, Shikarpur, district Bulandshahr.	20 "		
11	Ditto ..	George Sanatan Dharma Anglo-Vernacular Sanskrit Mahavidyalaya, Sikandrabad, district Bulandshahr.	40 "		
12	Saharanpur	Yogashrama Vidyalaya, Mayapuri, Hardwar, district Saharanpur.	25 "		
13	Azamgarh ..	Sanga Veda Vidyalaya, Hanumangadhi, Azamgarh.	40 "		
14	Gorakhpur..	George Vijai Sanskrit Pathshala, Rampur Karkhana, tahsil Hattu, district Gorakhpur.	20 "		
15	Ditto ..	Sanskrit Pathshala, Amarpur, post office Baasgaon, district Gorakhpur.	30 "		
16	Gonda ..	Sanskrit Pathshala Ishwaranand Kuti, post office Srinagar district Gonda.	15 "		
		Rishikul Sanskrit Vidyalaya, Bhoor, Bareilly.	10 "		
		Arya Samaj Sanskrit Pathshala, Bhoor, Bareilly.	25 "		
19	Bulandshahr	Vedanga Pathshala, Narwar, post office Narora, district Bulandshahr.	50 "		
20	Partabgarh	Raghuraj Sanskrit Pathshala, Baiti, district Partabgarh.	17 "		
		Total ..	507 "		
		<i>Arabic Madarsa.</i>			
		Nil			

*Statement showing the number of oriental institutions that applied for preliminary grants to be given in 1923-24.*

Serial num- ber.	Name of district.	Name of institution.	Amount of grant applied for.	Amount recommended to Government.	Remarks.
		<i>Sanskrit Pathshalas.</i>	Rs.		
1	Azamgarh ..	Sri Ram Sanskrit Pathshala, Lakshmanpur, tahsil Nizamabad, district Azamgarh.	35 p.m.	..	No grant was sanctioned by Government on account of the financial stringency.
2	Basti ..	Vidya Dharma Pravardhini Sanskrit Pathshala, Mennadaval, tahsil Khalilabad, district Basti.	33 "		
3	Do. ..	Brahmanand Sanskrit Pathshala, old Basti, Basti.	25 "		
4	Gorakhpur	Sanskrit Pathshala, Bairaia, Kasia, district Gorakhpur	25 "		
5	Ditto ..	Sanskrit Pathshala, Tilaura, district Gorakhpur.	40 "		
6	Benares ..	Dayanand Anglo-Vedic Sanskrit Pathshala, Maidagin, Benares city.	25 "		
7	Do. ..	Ganesh Pathshala, Tripura Bhairavi, Benares city.	30 "		
		<i>Arabic Madrasas.</i>			
		Nil.			

## APPENDIX C.

(See page 832 supra.)

*Statement showing the names of oriental institutions that applied for the preliminary grants to be paid during 1927-28.*

Serial num- ber.	Name of district.	Name of institution.	Amount of grant applied for.	Amount recommended to Government for giving in 1927-28.
			Rs.	Rs.
1	Garhwal ..	Shri Kedarnath Sanskrit Vidyalaya, Shonitpur Bansu Patti, post office Gupta Kashi, district Garhwal.	300	120
2	Do. ..	Badrish Sanatan Dharma Sanskrit Pathshala, Srinagar, district Garhwal.	300	120
3	Dehra Dun ..	Bharat Maha Vidyalaya, Rishikesh, district Dehra Dun.	720	600
4	Ditto ..	Rishimandal Sanskrit Pathshala, Rishikesh, district Dehra Dun.	300	..
5	Benares ..	Veda Vidyalaya (Dayanand Anglo-Vernacular High School), Benares.	600	300

Serial number.	Name of district.	Name of institution.	Amount of grant applied for.	Amount recommended to Government for giving in 1927-28.
			Rs.	Rs.
6	Moradabad ..	Sanskrit Hitaishini Pathshala, Sambhal, district Moradabad.	480	..
7	Muzaffarnagar ..	Sanskrit Pathshala, Muzaffarnagar.	360	..
8	Bulandshahr ..	Shri Radha Krishna Sanskrit Vidyalaya, Khurja, district Bulandshahr.	1,200	300
9	Ditto ..	Vedanga Sanskrit Pathshala, Narwal, post office Narora, district Bulandshahr.	600	..
10	Etawah ..	Vidya Dharma Vardhini Sanskrit Pathshala Panhar, post office Auraiya, district Etawah.	300	..
11	Etah ..	Brahmacharyashrama Sanskrit Pathshala, Kasganj, district Etah.	360	..
12	Do. ..	Mehta Sanskrit Pathshala, Soron, district Etah.	900	720
13	Jaunpore ..	Vasudeva Sanskrit Pathshala, Cutwan, district Jaunpore.	300	180
14	Ditto ..	Sanskrit Pathshala, Badlapur, district Jaunpur.	300	..
15	Azamgarh ..	Maheshwar Sanskrit Pathshala, Bhatsani, post office Memhargar, district Azamgarh.	480	120
16	Ditto ..	Sanskrit Pathshala, Sipah, post office Amila, district Azamgarh.	240	180
17	Ghazipur ..	Sanskrit Pathshala, Rampur, district Ghazipur.	300	..
18	Mirzapur ..	Sanskrit Pathshala Tiltbi, post office Chilh, district Mirzapur.	360	180
19	Gorakhpur ..	Sanskrit Pathshala, Math Iar, post office Lar, district Gorakhpur.	360	300
20	Ditto ..	Paramhans Anant Vidyalaya, Barhaj, district Gorakhpur.	600	300
21	Ditto ..	Rishikul Sanskrit Pathshala, Siswa Bazar, district Gorakhpur.	480	300
22	Ditto ..	Sanskrit Pathshala at Banspar, via Ghughli railway station, Bengal North-Western railway, tahsil Maharajganj, district Gorakhpur.	360	240
23	Ditto ..	Sanskrit Pathshala, Dohariya Bazar, Gorakhpur.	300	..
24	Ditto ..	Sanskrit Pathshala, Mahuadabar, post office Bhawapar, district Gorakhpur.	360	240
25	Ditto ..	Devanagari Sanskrit Vidyalaya, Majhgaon, via Belipar, district Gorakhpur.	240	120
26	Ditto ..	Sanskrit Pathshala at Mallaoon, district Gorakhpur.	240	..
27	Ditto ..	Santan Dharma Sanskrit Pathshala, Tilsar, post office Gogha, district Gorakhpur.	300	..
28	Ditto ..	Santan Dharma Sanskrit Pathshala, Baraon Khurd, post office Rudrapur, district Gorakhpur.	300	..

Serial number.	Name of district.	Name of institution.	Amount of grant applied for.	Amount recommended to Government for giving in 1927-28.
			Rs.	Rs.
29	Gorakhpur ..	Sanskrit Pathshala, Gheepokhari, post office Bangach, district Gorakhpur.	800	180
30	Ditto ..	Sri Saraswati Sanskrit Pathshala, Sirsiya, post office Hathra, district Gorakhpur.	800	..
31	Basti ..	Sanskrit Pathshala, Mundera, post office Sirsi, district Basti.	800	120
32	Ditto ..	Mangal Sanskrit Pathshala, Gauri estate, post office Banssi, district Basti.	800	..
33	Aligarh ..	Dharma Samaj Sanskrit Pathshala, Aligarh.	800	240
34	Partabgarh ..	Raghuraj Sanskrit Pathshala, Baiti, district Partabgarh.	800	180
35	Sultanpur ..	Sanatan Dharma Sanskrit Pathshala, Bilwai, district Sultanpur.	480	240
36	Jaunpur ..	Dewa Datta Sanskrit Pathshala, Husainganj, post office Shahganj, district Jaunpur.	860	180
37	Gorakhpur ..	Anantpalini Sanskrit Pathshala, Baidiya, post office Kasiya, district Gorakhpur.	160	..
38	Meerut ..	Sri Chandi Sanskrit Pathshala, Hapur, district Meerut.	600	..
Total ..			16,080	5,460
<i>Arabic Madrasas.</i>				
1	Lucknow ..	Madrasa Qadimia Farangi Mahal, Lucknow.	1,500	1,500
2	Do. ..	Madrasa Madanul Ulloom Nigram, Lucknow.	600	600
3	Sitapur ..	Madrasa Islamia Alamnagar, Sitapur.	600	600
4	Lakhimpur ..	Madrasa Islamia Aracia, Lakhimpur.	600	600
5	Bareilly ..	Madrasa Ishaat-ul-ulloom, Bareilly.	1,200	1,200
Total ..			4,500	4,500





# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Monday, March 23, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 A.M. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

PRESENT :

(105).

The Hon'ble Sir Sam O'Donnell.	Babu Uma Shankar.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Venkatesh Narayan Tiwari.
The Hon'ble Rai Rajeshwar Bali.	Babu Kavendra Narayan Singh.
The Hon'ble Thakur Rajendra Singh.	Pandit Shri Sadayatan Pandit.
The Hon'ble Nawab Muhammad Yusuf.	Thakur Shiva Shankar Singh.
Mr. G. B. Lambert.	Rai Bahadur Thakur Hanuman Singh.
Mr. E. A. H. Blunt.	Rai Bahadur Babu Abhai Chandan Prasad.
Kunwar Jagdish Prasad.	Raja Indrajit Pratap Bahadur Sahi.
Sir Ivo Elliott.	Bhaya Hanumat Prasad Singh.
Mr. P. H. Tillard.	Babu Ganga Prasad Roy.
Mr. H. A. Lane.	Pandit Govind Ballabh Pant.
Mr. R. L. Yorke.	Pandit Badi Dutt Pande.
Mr. A. W. Pim.	Mr. Mukandi Lal.
Mr. A. W. McNair.	Sirdar Nihal Singh.
Khan Bahadur Chaudhri Wajid Husain.	Rai Bahadur Chaudhri Jagannath Prasad.
Mr. E. L. Norton.	Raja Bahadur Bishwanath Saran Singh.
Mr. F. F. R. Channer.	Rai Bahadur Babu Mohan Lal.
Mr. R. J. S. Dodd.	Rai Bahadur Pandit Sankara Prasad Bajpai.
Lt.-Col. R. F. Baird.	Kunwar Surendra Pratap Sahi.
Mr. A. H. Mackenzie.	Mr. C. Y. Chintamani.
Mr. B. D'O. Darley.	Mr. Lohur Ahmad.
Mirza Muhammad Sajjad Ali Khan.	Haji Abdul Qayum.
Khan Bahadur Mr. Masud-ul-Hasan.	Mr. Muhammad Abdul Bari.
Mr. H. C. Desanges.	Sa'iyid Tufail Ahmad.
Mr. E. Ahmad Shah.	Khan Bahadur Shaikh Zia-ul-Haq.
Babu Ram Charana.	Nawabzada Muhammad Liaqat Ali Khan.
Babu Prag Narayan.	Hafiz Muhammad Ibrahim.
Sri Ganesh Shankar Vidyarthi.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Mr. A. P. Duba.	Khan Bahadur Hafiz Hidayat Husain.
Pandit Rahas Bihari Tiwari.	Maulvi Sa'iyid Habib-ullah.
Babu Sampurnanand.	Dr. Shafa'at Ahmad Khan.
Babu Bhagwati Sahai Bedar.	Khan Bahadur Sa'iyid Jafar Husain.
Thakur Manjit Singh Rathor.	Khan Bahadur Shaikh Sa'iyid Muhammad, alias Maiku Mian.
Rai Sahib Lala Jagdish Prasad.	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.
Chaudhri Vijai Pal Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Chaudhri Dharamvir Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Thakur Manak Singh.	Khawaja Khalil Ahmad Shah.
Thakur Pratap Bhan Singh.	Shaikh Muhammad Habib-ullah.
Thakur Bikram Singh.	Raja Sa'iyid Ahmad Ali Khan Alvi.
Thakur Hukum Singh.	Chaudhri Niamat-ullah.
Raja Kushal Pal Singh.	Mr. Muhammad Habib.
Rao Krishna Pal Singh.	Mr. St. George H. S. Jackson.
Lieut. Raja Kali Charan Misra.	Rai Bahadur Munshi Ambe Prasad.
Lala Nemi Saran.	Rai Bahadur Lala Bhari Lal.
Chaudhri Badan Singh.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Rao Sahib Kunwar Sardar Singh.	Raja Shambhu Dayal Seth.
Thakur Sadho Singh.	Kunwar Bisheshwar Dayal Seth.
Pandit Brijnandan Prasad Misra.	Raja Jagannath Baksh Singh.
Pandit Bhagwat Narayan Bhargava.	Mr. E. M. Souter.
Rao Udaibir Singh.	Rai Bahadur Babu Vikramajit Singh.
Babu Kishori Prasad.	Pandit Iqbal Narayan Gurtu.
Lieut. Raja Durga Narayan Singh.	
Pandit Deota Prasad.	
Babu Shyam Lal.	

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## HONORARY MAGISTRATES.

\*1. **Mr. O. Y. Chintamani :** (a) How many honorary magistrates "who have become physically or otherwise unfit" have been granted extensions or made life magistrates, and to how many such cases are still sent?

(b) With reference to the Government's letter to Commissioners of divisions [No. 1118/VI—1682-1922 of April 3, 1925, Judicial (Criminal) department] will the Hon'ble the Home Member be pleased to state what progress has been made in "gradually weeding out incompetent, unreliable, or unscrupulous honorary magistrates?" How many have been "weeded out?"

(c) How many are still honorary magistrates who are—(i) "incompetent;" (ii) "unreliable;" (iii) "unscrupulous?"

(d) Is it the policy of the Governor in Council not to employ "the most drastic measure" of "the withdrawal of powers" even in dealing with "unscrupulous" magistrates except in "the worst cases?"

(e) How long will the process of "gradual weeding out" take for corrupt magistrates to be got rid of?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Cases are not sent, nor are ordinary extensions on the active list granted to honorary magistrates who have become physically or otherwise unfit. Since the issue of the letter quoted in question (b) 37 honorary magistrates have been made life magistrates on the retired list.

(b) Since April 3, 1925, the powers of four honorary magistrates have been withdrawn and 52 honorary magistrates have been refused extension on the expiry of their terms of appointment. In 23 cases out of these 52 the reason for refusal was that the gentlemen concerned had become too old for work.

(c) So far as Government are aware, none.

(d) No.

(e) Government will always be prepared to take action in cases of corruption. They can express no opinion as to when cases of corruption will cease to occur.

**Rai Bahadur Babu Vikramajit Singh :** What inquiry has the Government made in order to find out whether there are incompetent, unreliable, or unscrupulous honorary magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is always brought to our notice whenever there is any unreliable, unscrupulous, or corrupt magistrate in the district by the district magistrate.

**Rai Bahadur Babu Vikramajit Singh :** May I put another question? Has the Hon'ble the Home Member asked the district magistrate of each district to make an inquiry and to bring specially to the notice of the Government incompetency, unreliableness, or unscrupulousness of honorary magistrates?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** If the honourable member is aware of the instructions that were issued to district magistrates he will know that we told the district magistrates that unreliable or unscrupulous magistrates should not be appointed and that such cases should be brought to the notice of the Government.

**\*2. Mr. C. Y. Chintamani :** How many of the honorary magistrates are unable to read or write ?

(b) How many of such magistrates have been appointed or re-appointed each year since 1921 ?

(c) Has effect been given to the policy laid down in the Government's letter to Commissioners, dated May 25, 1923, viz., that "in selecting gentlemen for these appointments particular attention should be directed to their educational attainments ?"

(d) Do Government intend to ask honorary magistrates who are illiterate to resign their offices ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Two in all, of whom one does not work, as the bench of which he is a member is in abeyance.

(b) One was appointed in 1922, but not re-appointed on the expiry of his term in 1927. One was re-appointed in 1922 and one in 1923.

(c) Yes.

(d) Government will consider the question.

**\*3. Mr. C. Y. Chintamani :** (a) How many honorary magistrates whose methods "tend to bring the whole system into discredit" are still left in the enjoyment of their position and powers, so that "too sudden or drastic a change of policy" may not "result in keen personal disappointment and possibly in alienating the feelings of men of substance and position whose good-will is valuable ?"

(b) Is the motive and purpose of the appointment of honorary magistrates the competent and impartial administration of justice, or is it the reward of political virtue ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Government are not aware of any such cases.

(b) Government do not understand what the honourable member means by "political virtue." The chief objects of the Government in appointing honorary magistrates are to give to men of sufficient ability and leisure the opportunity for, and training in public service, to give relief to stipendiary magistrates and to secure the competent and impartial administration of justice.

**Pandit Bhagwat Narayan Bhargava :** Does the Government intend to re-appoint that illiterate magistrate when his term expires ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** When the case will come it will be decided on its merits at that time. I cannot say anything at present.

**Pandit Badri Dutt Pande :** Does the Government know that there is one illiterate honorary magistrate at Almora ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not know.

**Babu Sampurnanand :** What are the duties of life magistrates on the retired list ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is simply an honour to them. They do no work.

**Babu Sampurnanand :** Are honorary magistrates expected to apply for extension, or is it granted to them on the initiative of the Government ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is always the Collector who reports when the term expires. They do not apply, nor do we take the initiative.

**Babu Sampurnanand :** My point is this. In the reply it is said that 52 have been refused extension. I want to make it clear whether they applied, or they were recommended by the Collector of the district ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware of all these details. The procedure is that collectors send up names. I do not know specially what happened in this case.

**Thakur Manjit Singh Rathor :** How many illiterate magistrates are life magistrates on the retired list ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The question does not arise out of my reply, nor do I know.

**Babu Sampurnanand :** Have the Government instructed the district magistrates not to recommend in future the extension of those gentlemen who are unfit ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not think that there are very many unfit. I have said in the reply that 52 have been refused extension. I do not know whether they were recommended or not recommended by the district magistrates.

**Babu Sampurnanand :** Have the Government instructed the district magistrates not to recommend such people in future ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** As I said, I am not aware whether they were recommended or not recommended. What I know is that they were not given extension.

**Khan Bahadur Maulvi Fasih-ud-din :** Is the Government aware that only recently in Budaun one magistrate who is 70 years old and another magistrate who is almost illiterate have been promoted to first class magistrates ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware, but it is quite possible that a man of 70 years of age, if he possesses qualifications, just like my honourable friend who has put the question, may be there.

**Pandit Badri Dutt Pande :** Do the Government intend to appoint an advisory committee here as they have done in the Central Provinces ?

**The Hon'ble the President :** That has nothing to do with us here.

RESOLUTIONS PASSED BY THE COUNCIL.

\*4. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the action they have taken, or intend to take, with regard to all the resolutions passed by the Council in January, 1927 ?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table.

(See Appendix A, page 963.)

VOTERS OF THE UNITED PROVINCES LEGISLATIVE COUNCIL.

\*5. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the number of (1) voters in each constituency; (2) the number who actually voted; and (3) the percentage of such voters to the total number on the electoral roll ?

**The Hon'ble Sir Sam O'Donnell :** A statement is placed on the table.

(See Appendix B, page 965.)

\*6. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the number of (1) women voters in each constituency, and (2) the number who actually voted ?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table.

(See Appendix C, page 970.)

AUDITORS OF *wagf* ACCOUNTS.

\*7. **Dr. Shafa'at Ahmad Khan :** Is the Government aware that some district judges have appointed their peshkars as auditors of *wagf* accounts of all *wagfs* whose income does not exceed Rs. 2,000 a year ?

\*8. Will the Government be pleased to furnish to the Council a list of all auditors of accounts (1) whose income does not exceed Rs. 2,000 a year, and (2) exceeds that figure in each district, showing their names, status in society, the commission they charge for auditing, and the number of accounts each auditor has audited and passed so far ?

\*9. Will the Government be pleased to supply to this Council a list of auditors in Fyzabad, Muzaffarnagar, Bulandshahr, Aligarh, and Bareilly ?

\*10. Will the Government be pleased to state if any auditor of accounts whose income does not exceed Rs. 2,000 a year ever travels in the district of which he has been appointed auditor ?

**The Hon'ble Rai Rajeshwar Bali :** Inquiry has been made and information is not yet complete.

NOMINATED MEMBERS OF THE AMROHA MUNICIPALITY.

\*11. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state why the names of nominated members of the Amroha municipal board were not gazetted till December, 1926 ? What was the cause of this delay ?

**The Hon'ble Nawab Muhammad Yusuf :** The Government are not prepared to say. It is in their discretion to exercise the power of nomination if and when they choose.

**UNSTARRED QUESTIONS.****MUSLIM BURIAL GROUND IN FATEHPUR MUNICIPALITY.**

1. **Babu Uma Shankar :** Is it a fact that the question of selecting land for burying the Musalman dead of the Fatehpur municipality is agitating the public mind for a very long time ?

2. Will the Government be pleased to say since when ?

3. Is it a fact that some Musalmans bury their dead bodies just within the boundaries of the Government High School, Fatehpur.

4. Is the Government aware that the headmaster of the said school protested against this several times ?

5. Is it a fact that a plot had been selected and provided by the municipal board for burying the dead in 1925 ?

6. (1) Did the municipal board stop the people from burying their dead bodies within the *abadi* and the boundaries of the Government High School ?

(2) If not, why not ?

7. (1) Were any inquiries made by the Government regarding the selection of land by the Government in 1925 ?

(2) If so, with what results ?

8. Does the Government intend to ask the municipal authorities to prosecute those who fail to bury their dead bodies in the plot selected in 1925 ?

**Sir Ivo Elliott :** Inquiry has been made and information is not yet complete.

**WATER-SUPPLY SCHEME, FATEHPUR.**

9. **Babu Uma Shankar :** Is it a fact that the municipal board, Fatehpur, in 1923, 1924, and 1925 got a scheme for water-supply, its estimate and plan prepared ?

10. Did the municipal board apply for a grant and loan to the local Government for the said scheme ?

**Sir Ivo Elliott :** Yes.

11. **Babu Uma Shankar :** Will the Government be pleased to inquire what further steps have been taken by the new board since 1926 ?

**Sir Ivo Elliott :** Inquiry has been made and information is not yet complete.

**COMPULSORY EDUCATION AT FATEHPUR.**

12. **Babu Uma Shankar :** Is it a fact that the municipal board, Fatehpur, in 1923, 1924, and 1925 applied to the Government to enforce compulsory education within the municipal area ?

**Kunwar Jagdish Prasad :** Yes; in 1925.

13. **Babu Uma Shankar :** Is it a fact that the then district magistrate approved the water-supply and the compulsory education scheme ?

**Sir Ivo Elliott :** Yes.

14. **Babu Uma Shankar** : Will the Government be pleased to state what further steps have been taken by the new board since 1926 ?

**Sir Ivo Elliott** : Inquiry has been made and information is not yet complete.

NOMINATION OF A DEPRESSED CLASS MEMBER TO FATEHPUR MUNICIPALITY.

15. **Babu Uma Shankar** : Is it a fact that the following resolution was passed by the United Provinces Legislative Council in 1925 :—

“That this Council recommends to the Government to so arrange that at least one member from among the depressed classes shall be nominated to each municipality?”

**Sir Ivo Elliott** : Yes.

16. **Babu Uma Shankar** : Will the Government be pleased to inquire in how many municipalities a member of the depressed classes was nominated in 1926 or 1927 ?

**Sir Ivo Elliott** : The information is already available.

17. **Babu Uma Shankar** : (1) Is it a fact there was no member of the depressed classes nominated for the Fatehpur municipal board in 1926 and 1927 ?

(2) If not, why not ?

**Sir Ivo Elliott** : (1) Yes.

(2) Because no suitable person among the depressed classes was available.

ELECTION FOR THE PUBLIC ACCOUNTS AND THE FINANCE COMMITTEES.

**The Hon'ble the President** : With reference to items Nos. 2 and 3 on the order paper I may remind the honourable members that the election will go on just after the questions up to 1—30. The ballot box will, as usual, be found in the secretary's room, and those members who care to see it will be shown that the box is empty. When the ballot takes place, honourable members who are interested may kindly go at once and see that the ballot box is really empty. I understood from some members that there might be some withdrawals to-day before the election takes place. May I know if that is so ?

**Shaikh Muhammad Habib-ullah** : I withdraw from the Finance Committee.

**Raja Kushal Pal Singh** : I withdraw from the Public Accounts Committee.

**Hafiz Muhammad Ibrahim** : I withdraw from the Finance Committee.

**Babu Sampurnanand** : I withdraw from the Public Accounts Committee.

**Mr. Zahur Ahmad** : I withdraw my name both from the F and the Public Accounts Committee.

**Nawabzada Muhammad Liaqat Ali Khan :** I withdraw from the Finance Committee.

**Saiyid Habib-ullah :** I withdraw from the Public Accounts Committee.

**Rai Bahadur Babu Mohan Lal :** I withdraw from the Public Accounts Committee.

**Rai Bahadur Babu Abhainandan Prasad :** I withdraw from both the Committees.

**The Hon'ble the President :** The following members have withdrawn their names from the Public Accounts Committee :—

1. Mr. Zahur Ahmad.
2. Saiyid Habib-ullah.
3. Raja Kushal Pal Singh.
4. Rai Bahadur Babu Abhainandan Prasad.
5. Rai Bahadur Babu Mohan Lal.
6. Babu Sampurnanand.

This leaves thirteen candidates for the eight seats on the Public Accounts Committee :—

1. Nawabzada Liaqat Ali Khan.
2. Khan Bahadur Saiyid Jafar Husain.
3. Rai Bahadur Chaudhri Jagannath Prasad.
4. Mr. Desanges.
5. Rao Sahib Kunwar Sardar Singh.
6. Shaikh Abdullah.
7. Mr. E. Ahmad Shah.
8. Babu Kavendra Narayan Singh.
9. Rai Bahadur Lala Mathura Prasad Mehrotra.
10. Pandit Nanak Chand.
11. Hafiz Muhammad Ibrahim.
12. Babu Ram Charana.
13. Chaudhri Vijai Pal Singh.

For the Finance Committee there are five withdrawals, leaving eleven contesting :—

1. Mr. C. Y. Chintamani.
2. Raja Jagannath Bakhsh Singh.
3. Pandit Brijnandan Prasad Misra.
4. Babu Shyam Lal.
5. Dr. Shafa'at Ahmad Khan.
6. Rai Bahadur Babu Mohan Lal.
7. Thakur Hukum Singh.
8. Khan Bahadur Hafiz Hidayat Husain.
9. Pandit Govind Ballabh Pant.
10. Thakur Manjit Singh Rathor.
11. Raja Saiyid Ahmad Ali Khan Alvi.

The names of the members who have withdrawn shall be struck out from the voting paper, the others will remain there. The election will be on the system of single transferable vote.

**Mr. Zahur Ahmad :** Shaikh Abdullah has authorized me verbally to withdraw his name from the Public Accounts Committee. Unfortunately he has not come, and I make this known to you, Sir.



The Hon'ble the President: I should not like to dispute the authority of the honourable member, but I should prefer that the honourable member had himself written to me direct. As it is, his name will remain on the roll. Members may not vote for him.

## BUDGET, 1927-28.

### DISCUSSION OF DEMANDS FOR GRANTS.

#### Demand No. 22.

#### HEAD 22—EDUCATION.

**Pandit Iqbal Narayan Gurtu:** Before the Council closed on Saturday my honourable friend the member for Naini Tal brought a motion for reduction in the Roorkee Engineering College grant. He based his argument on the fact that the budget amount this year was much in excess of the amount in the previous year. The Director of Public Instruction in his reply maintained that any reduction would lead to inefficiency. Thereupon the honourable member for Partabgarh argued that economy in every case did not necessarily mean loss of efficiency. So far, Sir, the debate proceeded in a normal manner. The House then witnessed the distressing scene of a Government Secretary run amok. Under the paroxysm of a severe fit of excitement he furiously launched an attack against the honourable member for Partabgarh, and the House watched this novel performance with mixed feelings of curiosity, pain, and resentment. I say curiosity because the honourable members on this side of the House began to ask themselves did the Secretary take up that line in debate with the permission and consent of the Hon'ble the Minister for Education? Sir, we who know the Hon'ble the Minister for Education know his great courtesy to every member of the House; we appreciate his fine good taste; we know what a fine and delicate perception he has of human feelings.

And it is, therefore, rather difficult to believe that the Secretary should have adopted that line with the permission and consent of the Hon'ble Minister. Did, then, the Secretary take the bit in his mouth? If that be a fact, then I submit it reveals a lamentable lack of discipline and control.

Then, Sir, I said that the House listened to the speech with pain. The Secretary did not take into account the friendly disposition of the House throughout the whole day that we discussed the education budget. It was clear that there was on educational affairs at least, mutual co-operation between Government and non-officials. And yet the Education Secretary threw a bomb. He revealed an extraordinary lack of judgement and commonsense. It is curious that a person in the position of Government whip, whose business it is to feel the pulse of the House, who has been feeling the pulse for the last seven years, should not have noticed that the disposition of the House towards his department was very friendly. And yet he decided to adopt a course which has created so much resentment.

Sir, it is painful that the Secretary decided to make an unnecessarily provocative speech. He made reckless statements against the able member for Partabgarh when he knew he had no right

[Pandit Iqbal Narayan Gurtu.]

when he knew he could not have access to files which the Secretary had access to, and when he knew that even with his retentive memory the honourable member for Partabgarh could not disclose many facts in his knowledge and could not give the inner history of the cases of Major Sands and Major Hart quoted by him. The House knows very well that the honourable member for Partabgarh when he is hit can hit back, he can send away many people in a wiser and saner mood. But, Sir, here the Secretary unfortunately chooses to be unsportsman-like; he hits him below the belt, and it is that which has produced great resentment in the House. His vitriolic outburst on his old chief who is now out of office reminds me of the famous lines of the poet: "The insolence of office and the spurns which patient merit of the unworthy takes."

The Secretary dwelt on three main points in his attack on the honourable member for Partabgarh. The first was that as long as he was in charge of the portfolio he did not care for the Indianization of the services in the Roorkee College. It is only now that he is out of office that he poses as a great champion of the rights of Indians. Sir, I have only to refer to the debate that took place in the Council on the motion brought by you in 1921, when the honourable member for Partabgarh was Minister for Education. And the question was put point blank by Pandit Hirday Nath Kunzru, who then represented the constituency of Muzaffarnagar, and the honourable member for Partabgarh as Minister said:—"In this connexion my honourable friend the member for Muzaffarnagar referred generally to the personnel of the staff and put forward, if I understood him aright, the claims of Indians. He has been indulgent enough to make allowance for the circumstances that I have been in office for a very brief period; I may say actually for two months and eight days. At the same time he has expressed the hope that in spite of pressure of work and shortness of time I would not lose sight of this most important question. I can give as satisfactory an assurance upon the point as he can desire. It is impossible for any Indian not to keep in mind constantly the claims of Indians in their own country for these offices. He may rest assured that it is the policy of the Government of His Excellency Sir Harcourt Butler that in no circumstance will a deserving Indian who comes forward to accept a place be left aside in favour of a non-Indian." Sir, it is not for the first time that the honourable member preaches this policy of Indianization as a non-official member. He had the courage and honesty to preach the same from Government benches and to lay it down as a definite policy. It is not that he expressed it as a mere pious wish, or that he gave a promise to conciliate the House for the moment, but he actually carried out the policy which he enunciated. You, Sir, in the debate I referred to pressed that the two vacancies that had occurred should be filled by Indians, and the honourable member immediately took advantage of that opportunity and appointed Indian professors as permanent professors there for the first time. Before that there were some Indian members of the staff, but as professors they only held officiating appointments. The honourable member for Partabgarh as Minister appointed two Indian members of the staff on the Roorkee College. These appointments were followed later on by two further appointments. So in his

time, I understand, there were as many as four Indian professors, while there are only two Indians left there now.

Then, Sir, the second point that the Secretary raised was that Major Sands was appointed as Principal by Mr. Chintamani. Now, what are the facts about Major Sands? As far as I have been able to find out from the Civil List Major Sands came into service in 1910. In October, 1920, the then permanent Principal, Mr. Wood, went on leave, and Major Sands, as the seniormost man, was appointed as officiating Principal by Sir Harcourt Butler's Government before the Reforms Scheme was introduced. Mr. Wood returned from leave, acted for some time, and then retired. The question then arose as to who was to be made permanent Principal. Major Sands was the seniormost man, he had proved himself a capable man and he had also officiated once as Principal, and therefore Major Sands' claims could not have been overlooked and he was appointed permanent Principal. Did my friend the Secretary mean that the Minister should have carried out the policy of Indianization by doing injustice to a deserving man, a man who had a claim upon the post? We non-official members do press for Indianization of services, but it would be a calumny if it is attributed to us that we want Indianization by ignoring the just claims of those Europeans who are in service. We shall be no party to that injustice, and, if the Secretary thought that he made a point and scored over Mr. Chintamani by referring to that incident, I can only say he has miserably failed in his attempt.

Then, Sir, the third point was that of Major Hart. Now, Major Hart was appointed in 1902. In 1907 he was designated in the Civil List as Instructor in Applied Science and Photography. In 1922 he was designated as Superintendent, Photo Mechanical department. It was as Superintendent of the Photo Mechanical department that he was in charge of the press at Roorkee. This question of the Press was before the Government at the time as to whether it should be amalgamated with the Government Press at Allahabad, or it should be kept separate at Roorkee. We find from the report of the Retrenchment officer, Mr. Elliott (now Sir Ivo Elliott), that he had recommended the reduction of the post and the amalgamation of the press with the Government Press at Allahabad. He said in his note :—

"It has been definitely decided by Government that the Roorkee Press should be put under the Superintendent, Government Press, but the decision has been suspended. The point must very soon come up again for consideration, as Major Hart is due to retire in less than a year's time, and even though his services are extended Government must prepare to give him a successor; they must, therefore, decide what kind of man should be selected. It is our business also to consider the matter on grounds of economy."

He further states in his note :—

"As a personal matter we would urge that the press should not for the time being be made definitely a branch of the Government Press. It would be unfair to a man of the high reputation and good service of Major Hart to make him at this stage of his career subordinate to Mr. Abel. We think also that he should be employed to advise Mr. Abel on the question of his successor, though the latter must be selected with a view to his being definitely subordinate to Mr. Abel."

These are the considerations which were before the Government, and that was why the press at Roorkee was allowed to remain there. But it seems there must have been many searching of the heart at that time and many a difference of opinion in the Government. I, of course, as a non-official member have no knowledge of them.

**Kunwar Jagdish Prasad :** Hear, hear.

**Pandit Iqbal Narayan Gurtu :** Surely the Education Secretary, as the custodian of the conscience of Government, has knowledge of these things; therefore he can chuckle at me by saying that I have. I am not quoting one word which is not borne out by published documents, and it does not lie in the mouth of the Education Secretary to insinuate that my knowledge was derived from anything beyond the documents that are published. For the edification of the Secretary I will read from the memorandum of the honourable member for Partabgarh which he placed before the Muddiman Committee. That, Sir, throws a flood of light on this affair; that also throws a flood of light on the reason for the excitement of the Education Secretary on Saturday. The honourable member for Partabgarh in that memorandum says:—

"I may here mention perhaps that after a decision was taken, that as a measure of economy a Government press attached to Roorkhee College should be amalgamated with the Government Press at Allahabad, the Education Secretary supported by the Home Member (he was the authority as regards the Government Press) stopped the innocent transaction at the eleventh hour by getting the Governor's support to the constitutional plea that as the Roorkhee College was part of a Transferred subject the press attached to it was a transferred subject and its amalgamation with the reserved subject of the Government Press would be tantamount to the revocation of a Transferred subject which it was not competent of the Governor to make without the previous sanction of the Secretary of State in Council. I hope I was not less keen to guard my own sphere than the Education Secretary and the Home Member and the Governor, but I confess I was not impressed by this profound constitutional objection. Not impossibly there might have been other reasons. Assuming there was a substance in the objection, what a commentary does it not furnish on the dyarchical constitution under which apparently camels can be swallowed but gnats must be strained at."

Now, this quotation from published documents throws a flood of light on the internal affairs when this question of Government Press was under discussion. It clearly shows that the Minister of Education was quite of a different opinion. He could not carry out his real intention because our friend the Education Secretary proved so skilfully obstructive. Sir, when my honourable friend the Education Secretary in his last Saturday's performance was stating facts and the part that the honourable member for Partabgarh played, I felt that it was like playing Hamlet without the Prince of Denmark. But the Prince of Denmark appears on the stage when we look into the note that I have just read out. That is, Sir, at the bottom of the excitement that took my friend the Education Secretary off his feet that day. I do not mind the occasional repartees and the little excitements that may now and then happen in the Council in debates. It is after all human to get ruffled at times. But there is a serious aspect of the case involved in this. To-day it is the case of the honourable member for Partabgarh that he is on the non-official benches, while he was in the Government for some time. To-morrow it may be the lot of the present Minister of Education to be with us. The third day it may be another Minister, and at long last it may be the turn of my friend the Home Member also to be on the non-official benches. How in future are those persons who served the Government to be treated? They are, of course, treated as bosom friends when they are in the Government, they are treated with smiles and gentle caresses when they are your colleagues, but the moment they leave the Government and sit on the non-official benches they are treated as no better than pariahs. Well, Sir, this is the serious problem to which I ask the Council to turn its attention. I ask the

Government whether it will strengthen the inner discipline of the Government if Secretaries are encouraged to take the bit in their mouths and make reckless statements apparently based on their knowledge of the internal affairs of the Government, but which on close examination may be found to be absolutely baseless. How are our Indian Ministers, and even Executive Council Members, to be protected? Will it be permissible for every Secretary to get up and make statements without any check being laid on them? I do not know what the Government will decide. But if this practice goes on—this is the second time that the Education Secretary has attempted that—if this practice goes on then the Council will have to decide for itself what steps it should take to safeguard our future public men. If nothing is done by the Government, then certainly the Council will impose its own conventions and will not allow such reckless statements to be made. The Hon'ble the Education Secretary made a great fuss of facts the other day, but on close scrutiny we find what the whole thing comes to. Although he may have felt happy at the display of his oratorical powers, although he may have felt that he has pounded the honourable member for Paritagarh to dust, I will only remind him of the adage that he laughs best who laughs last. I now turn to the Hon'ble the Minister for Education. I ask him whether he is going to set this mistake right, and whether he is ready to protect his predecessor in office from such reckless attacks or not. I say he owes it as a courtesy to his predecessor in office as well as to the Council, now that certain facts have been brought before it, which would not have otherwise seen the light of the day, to disclose all the facts and lay them before the House to-day. If I am mistaken in my inferences, if I am wrong in the facts which I have placed before the Council, I would humbly request the Hon'ble Minister to throw more light on the subject; and, indeed, no one shall be happier than myself if I found that the statement which I have made was not borne out by facts. This is the only way in which there can be mutual confidence between the Government and the non-official members, and no public work can be transacted without mutual confidence and courtesy. I would, again, ask the Hon'ble Minister to be good enough to show us that minimum of courtesy to-day. If that courtesy is denied to us, and if the relations between the Executive and the Legislature become more and more strained, then I am afraid it is bound to lead to unhappy results. You, Sir, will, of course, try your best to protect the dignity and decorum of the House; but it will mean rather a severe strain to the non-official members to keep up to that standard, because, surely, if such challenges are thrown from the side of the Government, the inevitable result will be a deadly duel with gloves off. I hope things will not come to that pass. I still hope that the Hon'ble the Minister for Education will be good enough to take the Council into his confidence and let it know how far the Education Secretary had his permission to take the line of reply which he did in the debate on Saturday.

**The Hon'ble Rai Rajeshwar Bali:** As has been pointed out, the debate on the Education budget went on in a most friendly and amicable manner till about 5 o'clock on Saturday, and I was congratulating myself on the result. Unfortunately, however, in the last half-an-hour the debate took rather an unpleasant turn, and my particular regret is that the unpleasantness was due not to any difference on an important

[The Hon'ble Rai Rajeshwar Bali.]

question of policy, but to a misunderstanding of the position taken up by my friend, the Education Secretary, and my honourable friend, the member for Partabgarh. Before I deal with that point I shall briefly state the facts regarding the Roorkee College, because I trust it will help to remove the misunderstanding created before the House.

There was a certain staff at Roorkee in 1923. The Economy Committee recommended that we should appoint a committee to look into the question of its reduction. A re-organization committee was appointed in 1924. It made certain recommendations, which were further examined by the Advisory Council of the Roorkee College. The result of all these inquiries was that no reduction in expenditure was found possible. True, certain minor suggestions were made altering the arrangements. It may be asked why this additional expenditure is being asked for. What has happened is that during the time the Re-organization Committee and the Advisory Council were making investigations about reduction a number of posts fell vacant, and, except as regards the case of one which we regarded as absolutely essential, we held them in abeyance till the time the Re-organization Committee and the Advisory Council had expressed their views on the question. When we found last year that the result of the recommendations of both these bodies was that no reduction was possible we proposed to fill those posts again. The first misapprehension that occurred was as regards the nature of this extra expenditure. So far as I could make out from the speech of the honourable member for Partabgarh his line of attack was that we wanted to add staff which never existed before. If he had been present during the early part of the speech of the Director of Public Instruction I think the debate would not, perhaps, have arisen at all. Then he would have seen that we were not asking for any new addition to the staff, but we were proposing to fill in the posts which existed in 1923 but which were held in abeyance since that time pending the recommendations of the Re-organization Committee. Unfortunately as the words used by him were couched in a form which gave the impression that he wanted to attack this expenditure, the misunderstanding that was created in the mind of the Education Secretary was that he was attacking the same expenditure which existed in his time and to which he took no objection when he was a Minister. It was thus on account of a misunderstanding of the whole case that the attack and the counter-attack were made both by my friend the ex-Minister and the Education Secretary. I am sure that, if the honourable member for Partabgarh had been aware that this was an expenditure which existed in 1923, he would not, perhaps, have made the attack at all; and if that unfortunate impression had not been created, that he was attacking an item of expenditure which existed in his time, then, perhaps, the attack on the part of the Education Secretary would not have been made. It was unfortunate that the whole thing is due to a misunderstanding of the position taken up by the Education Secretary and the ex-Minister.

Sir, my friend, Pandit Iqbal Narayan Gurtu, has just referred to a fact to which I think I must, in fairness, reply. He has said that the Education Secretary has made certain statements which related to files. I am sure that, if he will examine the speech of the Education Secretary further, he will find that he did not make any statement which related

to any matter which was not public. As I said, the whole thing was due to a misapprehension, for I am sure that the Education Secretary could not have meant that my honourable friend, the member for Partabgarh, had not put up a fight for the cause of Indians or for the cause of economy. In fact, if I may use his own expression, he is notoriously well known for his views on the question of Indianization, and a charge of this sort would be the last from this side of the House. I am sorry, therefore, that it was on account of a misunderstanding of the whole situation that this unpleasantness has been created. But now that the position has been explained I hope the honourable member for Naini Tal would not press his motion to a division.

As regards the question of Indianization, as to whether there has been any progress or not, I may also state the facts. It is true, as has been pointed out by my honourable friend the member for the university, that in 1923 there were four Indians on the staff of the Roorkee College, and that now, as the Civil List shows, there are only two. What has happened is this that two members retired from the cadre—one of them had to go back to Bombay as he belonged to the Bombay Educational Service. Of these two posts one has been filled up by an Indian, Mr Salig Ram. The other has not yet been filled up. So this has not resulted in the increase of Europeans in the cadre of the Roorkee College. On the other hand, the post of Major Hart, who was Superintendent of the Roorkee Press, is now filled by an Indian.

Some reference was also made to the Roorkee Press. We have not transferred its control to the Superintendent of the Government Press, because as a result of the appointment of an Indian member there has been a reduction in the cost. Moreover, the working of the Press has been improved, and it is now running at a profit instead of at a loss.

**Pandit Govind Ballabh Pant :** I regret very much that the debate should have taken an undesirable turn. I am sorry that the remarks that have been made by the Hon'ble Minister have been mainly directed to the charge and the counter-charge between his Secretary and his predecessor in office. So far as the substantial motion made by me is concerned it seems to have been forgotten in the heat of issues which are not directly relevant to the point under consideration and which were unnecessarily raised by the Education Secretary in a provocative manner. It is tactful on the part of the weak party to divert the course of debate into channels which have no bearing on the merits. But I feel that even in making such a manœuvre the tactician should pay regard to the ordinary rules of debate. Sir, I will first of all deal with the point raised by me and see whether any satisfactory reply has been given or not. My case was this that last year the revised estimate showed that the total expenditure incurred came to Rs. 1,58,000, while the provision for the next year comes to Rs. 2,06,000, which gives us an excess of something like Rs. 50,000. I said that when there is such a huge increase in expenditure, and there is no explanation given whatsoever in the memorandum, a reduction at least to the tune of Rs. 20,000 should be accepted. Now, these figures have not been challenged. They are too patent to be challenged even by those who do not believe in the simple principle of rule of three. What we are told is that two posts have remained vacant. They are to be filled up. I assume for a moment that what has been said is correct. But how does that not entitle me to a reduction of Rs. 20,000? As I said, the difference between the two figures is

[Pandit Govind Bailabh Pant.]

Rs. 50,000, and if you are going to engage two professors, and you are paying them even Rs. 1,000 each, the difference between the figures for the current year and those provided for the next should be only an excess of Rs. 24,000, and, as there is an excess of Rs. 50,000, there would still be a surplus of Rs. 26,000, while I am asking for a reduction of Rs. 20,000 only. I cannot find any answer to this query, and nobody has said anything to remove the doubt which was in my mind and is still there. The expenditure over the Roorkee College under this head has been going up from year to year. It has increased considerably. I have got the figures from 1916-17 to this year. And simultaneously with that the number of classes has been reduced. As I said, the military class has been abolished; the class for electrical and mechanical training has been abolished; the lower subordinate class has also been abolished. When these processes go on *pari passu*, that is, on the one hand you go on reducing the number of classes and on the other you go on increasing the expenditure, you cannot blame anyone who feels the necessity of crying halt. I think the question has not been met with in a dispassionate manner, and in their effort to rake up old bickerings the real issue has been relegated to the background by the members opposite. I do not care, Sir, to meet certain of the general observations made by the Director of Public Instruction. He asked those who are capable of taking a long view of things to throw out the motion made by me. He said in the course of his speech that those who could take a long view of things should agree with him. I see nothing strange or arrogant in this claim, for eagle-eyed as he is he should regard everyone who is incapable of seeing eye to eye with himself or the Government whom he serves as being short-sighted. I am, however, prepared to admit that one can best serve his personal interests by casting his lot with those in power, and they do not seem to take a profitable view of things who out of regard for larger impersonal interests take upon themselves the unpleasant task of opposing the mighty Government. A great financier used to say that expenditure is the greatest part of finance, and, where we see that expenditure is going up by leaps and bounds, it behoves us to consult our position. The Director of Public Instruction also said that the number of the members of the staff or the students need not be taken into account. He said it is a misleading process, and he would ask us not to be misguided by the treacherous doctrine known as the rule of three. I hope he will eliminate it from the text-books on arithmetic. However I repeat that you have to take into account all factors. He is very iron, very unbending, where there are proportions and ratios fixed in the education codes and does not budge an inch from them.

I am sorry to say that in the course of this debate unnecessary heat was introduced by the members opposite. I am not concerned with the personal aspect of the case, but there are certain larger questions which emerge from this debate and to which the Hon'ble Minister should give attention. I am one of those who try their best to deal with questions in a dispassionate manner, and it is my view that public questions can be best discussed in a scientific spirit without being biased by personal considerations. But there are certain features of this debate which must be mentioned. It is unfortunate that in this anomalous constitution public servants are arrayed against us; they have to vote against us. As is well known to all gentlemen



who have seen the elements of political science it is a very dangerous doctrine to mix up the permanent officials with the controversies of political debate. It necessarily leads at times to rancour and ill-feeling. That is one of the main reasons why the Indian Civil Service is not appreciated by the people of this country, because it has arrogated to itself the functions of Government. I do think that the Secretaries to Government, as well as the departmental heads, should be confined to statements relating to technical matters or to such affairs as come strictly within departmental purview. So far as political questions are concerned, matters of State as one may call them, they should be left to the members of the Government, and especially the task of throwing mud on a minister, should, I think, be taken up, if it is to be taken up by anybody, by the filthy hands of another minister and not by anybody else. I think it is not proper for the Secretaries or the heads of departments to open up old controversies or take up cudgels against those who have once held the position of members of Government. The question is of a large character, to-day it is the honourable member for Partabgarh and to-morrow the Hon'ble Minister may be the victim of a similar conspiracy. Then, too, questions may arise which may not be altogether disconnected with his own administration. Would it be proper for those who are serving under him to-day to get up and to cast aspersions and make insinuations against him? I think that would be subversive of all sense of discipline and seriously jeopardize the even course of public life. The other point which strikes me is that on such occasions there should not be any reference, innuendo, or suggestion whether by way of express statement or implication which is not borne out by public documents, as implications and suggestions may be much more offensive and obnoxious than a frank statement of the case. Now, as regards the statements made by the Education Secretary the other day I do not know what he was driving at and how they were relevant to the questions under discussion. In fact, I see that Indianization has no bearing on the issue that I have raised, it is purely a financial and economic question that I have urged before this House. There can be no doubt that the passion for Indianization held by the honourable member for Partabgarh is matchless. On that point, whatever our political differences may be, there can be no difference of opinion between ourselves, and the Government or anybody else who does not agree with him in matters political. Then, I do not understand what he meant when he inquired what was the number of Indians on the staff then and what is it now? Why was Major Sands appointed as Principal? I think nobody has ever urged, and the honourable member for Partabgarh would not be guilty of such a statement that, even when a European is entitled to a lift he should be left in the lurch and passed over by an Indian irrespective of his superior claims. But if the Secretary did not mean to say anything more than this that Major Sands was appointed, and he was the right man to be appointed, then what was the meaning of his remark? If he meant that he was not the right man, then, I think, he should have said rather definitely and clearly that the honourable member for Partabgarh had passed over the claims of Indians who, in his opinion and according to his accepted principles relating to these matters, had a superior claim to be appointed as a Principal contrary to his advice. If that was not the point then his statement had no bearing. Then he said what was the number of Indians t

[Pandit Govind Ballabh Pant.]

and what is it now. Even that, I submit, is irrelevant to the issue that is before us. However, what I find from the Civil List is that the number of Indians in the superior staff was largest in 1923, it was much larger than in 1921, and it is much less to-day. But these are not the points on which I rely; I am concerned with the motion that is before the House, and there is no answer to the points raised by me. Some of the gentlemen opposite said that the efficiency of the institution must have the primary consideration. I do not deny that, but has not the Roorkee College been, in fact, one of the most efficient institutions that we have ever had in our province? I have got here the list of persons who were holding superior posts in the year 192 . I have got the calendar, and I find from this that the expenditure incurred up to that year was less than what is proposed for next year. There were even in 1925 more than half-a-dozen persons who had received their training in the Roorkee College serving as Chief Engineers in different parts of India. It is also known that the predecessor of the present Chief Engineer in the Roads and Buildings Branch was trained in the Roorkee College. The Chief Engineer in charge of the open canals to-day is also, I think, one of the alumni of that College, so that the efficiency of the college has always been of a high order. It has turned out men who even in the past with all these handicaps have risen up to the highest ranks in their service. So in the circumstances one cannot urge with any force that efficiency has not been looked after in Roorkee up to this time, and that there is need for further expenditure on that account. Nobody has suggested that Government last year willingly allowed the efficiency of this institution to deteriorate. If they did it, they would, perhaps, expose themselves to a serious charge. I think the students that are being turned out are fit and competent enough. So I submit that as the expenditure that is provided is Rs. 50,000 above the revised estimate I hold that, even if you are going to appoint two men, there is certainly room for economy to the extent of Rs. 20,000.

**The Hon'ble Rai Rajeshwar Bali :** I am sorry if I have not made my point clear as regards the extra expenditure. My friend the member for Naini Tal has laid considerable emphasis on the fact that we are increasing the expenditure by about Rs. 50,000. I cannot explain how the revised estimate amounts to Rs. 1,08,000, but if he will look to the actuals of 1925-26 he will find that the money expended was Rs. 1,31,722. Thus we ask for an increase of hardly Rs. 18,000.

**Pandit Govind Ballabh Pant :** May I point out that that figure includes Rs. 25,000 for non-recurring expenditure in 1925-26. I have got the budget for that year.

**The Hon'ble Rai Rajeshwar Bali :** A lump reduction of Rs. 15,000 has been made this year by the Finance department, but I may inform the member that we are not going to increase any post that has been recommended by the Re-organization committee, and we have calculated our accounts according to that. But my impression was that we were increasing only . . . . .

**The Hon'ble the President :** Will the member for Naini Tal kindly elucidate the point further?

**Pandit Govind Ballabh Pant :** I submit that the figure of Rs. 1,31,000, to which reference has been made by the Hon'ble Minister, included non-recurring expenditure to the tune of Rs. 51,000, according to the figures given in the budget for 1925-26, of which I have got a copy with me. I say that there is an increase of Rs. 50,000. When the Re-organization Committee had given its verdict the staff was at the figure, and even as compared with that there is an increase of more than Rs. 25,000 and the numbers given above come to the same 24, 24, 2, 2, 1 and 1, but that was transferred from the other, page 111.

**The Hon'ble Rai Rajeshwar Bali :** So far as I am aware, that does not include the non recurring item. This includes only the actual expenditure in salaries in 1925-26, and we are only asking a little less than Rs. 18,000 in order to provide for the posts that were held in abeyance but which have been recommended by the Re-organization Committee to be filled up.

*The motion was put and the Council divided as below:—*

*Ayes, 42 ; Noes, 52.*

*Ayes.*

Babu Prag Narayan.  
Sri Ganesh Shankar Vidyarthi.  
Mr. A. P. Dube.  
Pandit R. has Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Lal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Manak Singh.  
Rao Krihna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Bijanandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udibir Singh  
Babu Kishori Pr sad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri S. dayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Raja Indrajit Pratap Bahadur Sahi.  
Bhaya Hanumat Prasad Singh.  
Babu Ganga Prasad Roy.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai  
Mr. C. Y. Chintamani.  
Mafiz Muhammad Ibrahim.  
Khawaja Khalil Ahmad Shah.  
Mr. Muhammad Habib.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.

Mr. R. J. S. Dodd.  
Lieut. Col. R. F. Bird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Warley.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. H. C. Desanges.  
Mr. E. Ahmad Shah.  
Babu Ram Charaua.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kishori Lal Singh.  
Rao Sahib Kunwar Sardar Singh.  
Rai Bahadur Babu Abbanandan Prasad.  
Sardar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Rai Bahadur Babu Mohan Lal.

## Noes.

Kunwar Surendra Pratap Sahi.  
 Mr. Zahur Ahmad.  
 Haji Abdul Qayum.  
 Mr. Muhammad Abdul Bari.  
 Saiyid Tufail Ahmad.  
 Lieut. Khan Bahadur Nawabzada Abdus  
 Sami Khan.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.

Khan Bahadur Shaikh Saiyid Muhammad,  
*alias* Maiku Mian.  
 Khan Bahadur Maulvi Muhammad Fazl-  
 ur-Rahman Khan.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Mr. St. George H. S. Jackson.  
 Rai Bahadur Munshi Ambe Prasad.  
 Mr. E. M. Souter.

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a token reduction of Rs. 100 under the entire head (a) Civil Engineering College, Roorkee, total (voted) page 112 of the Detailed estimates.

My object in moving this is to put only two questions. In the report of the Director of Public Instruction ending March 31, 1926, at page 16, it is stated that military training continues to be compulsory for all Civil Engineering students. I have got here the college calendar for the year 1925, which is the latest so far available, and at page 316 of this calendar we find it stated that all Indian students are now encouraged to enrol in the University Training Corps and all European students are already enrolled in the Auxiliary Force. Later it says: "The present sanctioned strength of the University Training Corps platoon at Roorkee is one officer and 37 other ranks, but an application has been made for the formation of a second platoon so that all Indian Engineering class students will be able to join." On another point it is said: "The two Indian professors of the college have applied for commissions in the University Training Corps, and it is hoped that one commission may soon be granted."

It appears to me that there is inconsistency between the report of the Director and the calendar. In one place it is stated that Indian students are encouraged to join, while at another place it is stated that military training continues to be compulsory for all Engineering students. I want to know how this inconsistency could be reconciled? I further want to know what has been done to the formation of the second platoon to enable Indian students to undergo military training.

The second question I want to put is: what has been done to the application of the Indian professors who applied for commission, and whether this Government has recommended their application?

**Mr. A. H. Mackenzie :** I regret that I am unable to answer all the questions put by the Khan Bahadur. The statement which he quoted from my report for the year ending March, 1926, is quoted from a report which the Principal of the College sent to me. I took the report as being a correct statement of the facts, and I have no doubt it is; I cannot explain the inconsistency between this report and the statement in the calendar which the Khan Bahadur has quoted. I shall inquire into that matter.

As regards the platoon and the applications of Indian professors for commissions I am sorry I have not got that information, but I will make a point of getting the information, and if the Khan Bahadur Sahib will allow me I shall give it to him privately.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Maulvi Fasih-ud-din :** I beg to move a token reduction of Rs. 100 under sub-head "D-II) Total, Rs. 77,050, Photo department" (page 111 of the Detailed estimates).

My object in bringing forward this motion is simply to elicit certain information about this department. In the first place, I want to know the name of the gentleman who is in charge of this department, whether he is officiating, and if so, since when? What are the difficulties in the way of his . . .

**Mr. A. H. Mackenzie :** May I ask the honourable member which gentleman he is referring to. I did not catch him.

**The Hon'ble the President :** The gentleman in charge of the Photo department.

**Khan Bahadur Maulvi Fasih-ud-din :** The second thing that I want to know is: what are the prospects in life for the students of this department over which a little over Rs. 77,000 are being spent annually? Are there any posts available for the passed students of this department under Government, or have they simply to take up some sort of private work?

**Mr. A. H. Mackenzie :** As regards the first question, the superintendent of the press is Mr. Dial Das Mehta. He has been officiating as superintendent since the retirement of Major Hart. The Government have not been able to make a permanent appointment, because we were informed by the Government of India that, pending the framing of rules for the recruitment of services under the conditions created by the recommendations of the Lee Commission, no permanent appointments could be made, but recently we have received orders to the effect that appointments can still be made, and we hope in the course of the next few weeks to announce the permanent appointment of the superintendent of the press.

As regards the question as to what prospects are open to the students of this department I may inform the Council that this department is not really a department of the college as a teaching institution. This is a department of the press—in fact, the superintendent of the Photo mechanical press is the superintendent of the Roorkee Press, and, although the expenditure is, as Khan Bahadur Maulvi Fasih-ud-din points out, large, yet the profits of the press are still larger. There is actually a profit made on the working of the press. The students of the Roorkee college do receive a certain amount of training in this department; for instance, they receive training in the making up of drawings and in photographic work. I am not familiar with these technical engineering processes, but I know that the facilities provided in the press for photographic work are put at the disposal of the students of the civil engineering class of the college and also to some extent at the disposal of the students of the overseers' class.

*The motion was, by leave of the Council, withdrawn.*

**Pandit Iqbal Narayan Gurtu :** I beg to move a token reduction of Rs. 2,000 under sub-head "University education D—Government professional colleges, (b) training colleges."

**The Hon'ble the President :** Do you wish to leave it at Rs. 2,000? If it is a token reduction I think it would be better to reduce it. The idea is not to reduce the demand substantively?

**Pandit Iqbal Narayan Gurtu :** Very well, Sir, I reduce it to Rs. 2.

I propose, Sir, to deal with the affairs of the Training College for teachers at Allahabad and its relations with the Allahabad University. Honourable members are aware that when the Allahabad University was re-organized as a unitary University in 1911 there were two Government colleges at Allahabad within the radius of ten miles, that is within the territorial limits of the new University. One was the Muir Central College and the other the Teachers' Training College. When the Allahabad University was re-organized the services of all the professors and teachers who were Government servants were lent on deputation to the Allahabad University, and they were shown in the Civil List as having been so deputed. But, curiously enough, the same procedure was not adopted in the case of the Training College for teachers. In the Training College for teachers the staff remained separate from the University, it was not lent on deputation to the University. All that was done was that the College was 'recognized' by the Allahabad University. There is no question in a unitary University of a college being merely recognized as a separate and independent entity. It has to be part and parcel of the unitary university. In 1923 I drew the attention of this Council to this anomaly, and the Director of Public Instruction in reply said that that was the first time the point was raised, and he appealed to me to co-operate with him in settling this rather technical issue. The effect of my drawing the attention of the Council at that time was only partially successful, and the way in which that technical difficulty was for the time being got over was that the University nominally accepted these professors and teachers as qualified teachers, readers, and lecturers of the Allahabad University. But the legal difficulty under the Act could not be got over by these subterfuges. The Act is clear on this point. Section 7 of the Act is as clear as anything may be. It says:—"No attendance at any teaching other than that conducted by the University shall qualify for admission to an examination of the University." That means that no student who has not attended the University teaching is entitled to appear at the University examinations. There is an explanation given to show what University teaching is:—"Such teaching shall include lecturing, work in laboratories or workshops, and other teaching conducted in the University by the professors, readers, and lecturers in accordance with any syllabus prescribed by regulations." This University teaching under the Act can be supplemented by the different colleges by the informal teaching which is called supplementary teaching. Honourable members will see, therefore, that for every student it is necessary that the formal teaching of the University should be given by the University. Now who are the teachers then of the University? Section 2 (i) defines the word "teachers of the University." "Teachers of the University" means persons appointed by the University to give instruction in the University on its behalf." Therefore University teaching can only mean formal teaching given by the professors, readers, and lecturers appointed by the University. All that was done was that the Training College teachers were afterwards accepted as qualified teachers of the University. Then, Sir, the agitation went on in the University. The University was satisfied with this state of things, because the real control of administration of the college was outside the hands of the University altogether. Twice committees were appointed by the University to go into this matter

and made certain recommendations. The second committee consisted of some eminent lawyers, and that committee recommended that, so far as the formal teaching of the University went it was illegal, that for formal teaching it was necessary that the lecturers, readers, and professors must be appointed by the University and must be under the control of the University. That committee suggested that the difficulty might be got over by delegating the power of appointing the staff of the Training College to the Chancellor. There is a statute which enables the Executive Council to delegate its powers of appointment, etc., if it so likes, to such person or authority as the executive council may determine. Pressure and persuasion was exercised regarding this matter, and the Executive Council, not unanimously but only by a chance majority of votes, decided that the powers might be delegated to the Chancellor. Now, Sir, in that statute, on which I am sure the Director of Public Instruction will lay great stress, there is a proviso which is important. The statute lays down that the Executive Council can only delegate this power subject to the approval of the Court. Honourable members will please bear in mind this proviso. Now, this recommendation of the Executive Council was never placed before the court; the approval of the Court was never obtained, and the result is that this recommendation is absolutely null and void and has absolutely no force and effect. The position then is this: this Training College at present is practically outside the control of the Allahabad University with the only nominal show of having the Professors shown in the Civil List as "on deputation" (Mr. A. H. Mackenzie nodded dissent). The Director of Public Instruction says that even that is not done, and that strengthens my argument still further. Here is this anomaly. Here are these so-called teachers of the University who are supposed to impart teaching in the University, but who are not even deputed by Government to be under the control of the University. I am glad the Director of Public Instruction has helped me there. Well Sir, the Government knows the weakness of its position. It is only trying to bide its time and to find out some suitable opportunity when it can get out of the hole. But it has not yet found a hole through which it can get out. The Executive Council lost its patience with the manner in which Government was playing with the University and with the court, and in 1905 the Executive Council passed a resolution.

**Dr Shafa'at Ahmad Khan :** Is it in 1905 or 1925?

**Pandit Iqbal Narayan Gurtu :** In 1925 the University lost its patience, and the Executive Council passed a resolution to the effect that the present arrangements were absolutely illegal and anomalous, and it declared that if things were not set right soon the University would refuse to have anything to do with the Training College or to examine its students and grant diplomas. This was the serious position to which the University was driven under the circumstances. The Government, with the persuasive powers of my honourable friend the Director of Public Instruction, came again in a very humble and chastened mood before the Executive Council with another request, and that request was that it might be allowed another year to make up its mind. With the characteristic ways of the school-boy the Director said:—"Please, Sir, forgive the Government for its mistakes in the past; we shall behave like good boys in the future; allow us some time more."

**The Hon'ble the President :** Is the honourable member in order in referring to the humility of the Director of Public Instruction which must have been a private thing?

**Pandit Iqbal Narayan Gurtu :** Sir, if his humility is a private affair, and is not known publicly, I shall be the last person to refer to it.

Then, Sir, the Director of Public Instruction was asked why it was that he wanted one year's time, because after all. . . .

**Mr. A. H. Mackenzie :** May I correct the honourable member? The Director of Public Instruction is not a member of the Executive Council; but Mr. A. H. Mackenzie is.

**Pandit Iqbal Narayan Gurtu :** Mr. A. H. Mackenzie, who could divide himself into two, was, as Mr. A. H. Mackenzie, asked as to why the Government wanted one year's extension and the answer was because the Agra University was going to be established? The question was why should the Training College at Allahabad, which was within the territorial limits of the University, not bring itself under the control of the Allahabad University, and the answer was because the Agra University was to be established.

”یونچھی زمین کی تو کہی آسمان کی“

Well, Sir, the Executive Council did not wish to be unreasonable or ungenerous like the Government, and somehow the extension was granted. The matter came up again before the last meeting of the Court and there a resolution was tabled by a member of the Court. The member asked the Vice-Chancellor whether he was in a position to make any statement as to what the Government was going to do with regard to the Training College and to regularize its position. I would, with your permission, read the statement of the Vice-Chancellor. The Vice-Chancellor stood up and said:—"I am glad to be able to state that now it is recognized by all parties concerned that the present position is not only irregular, but illegal. We have taken steps to regularize the position, and I feel confident that by March (i.e., March, 1927) the position will be regularized one way or the other, that is to say, either the Training College will come to us as a regular institution or will go away entirely. Therefore up till March I will request the members of the Court to possess their souls in patience." So that fateful month has come and it is about to end now. I should like to know from the Government whether it is at all serious in its intention to treat the Allahabad University with that respect which a body like the University is entitled to demand from the Government, or will it go on playing with it as it has been doing for the last three years. Will it, or will it not, allow the Training College to come directly under the control of the University? I know it will be said that the Training College is practically under the control of the University; its staff has been appointed technically by the Allahabad University and therefore everything is all right and it is only a few public agitators who are creating trouble over nothing. I would, therefore, in order to make the position clear, put a few questions to the Hon'ble Minister for Education. Is it, or is it not, a fact that the services of Mr. Wall, who was on the staff of the Training College, have been temporarily lent to the Government of India, and that he is now the officiating Director of Technological



Laboratory at Bombay? If so, is it or is it not a fact that the Allahabad University was never asked nor even approached? The University never knew that one of its professors had left this province and was in the service of a different Government. Now, Sir, what becomes of the control of the University when a member of its staff can be taken away without the University knowing anything about it? Then I would like to ask whether the Training College at present is following the rules laid down by the University for the admission of students. There are certain rules, Sir, made by the Executive Council for the admission of students. It has appointed an admission Board and all applications must be made to the Registrar and these applications are placed before the Admission Board. The Admission Board consults the head of the college or the department concerned before making admissions. I put a straight question and I want a straight answer from the Government. Does that procedure apply to the Training College? Or is it not that the Principal disposes of the applications in the manner in which he thinks best? Then again, control means financial control. Is the budget of the Training College a part of the budget of the Allahabad University? It is clearly not, Sir. As you see here, it is shown separately, not under Allahabad University, but under professional colleges. If the Allahabad University has the control of the Training College, how is it that it knows nothing of its staff, knows nothing of its money, how it is administered and so on. We shall be assured very solemnly by the Director of Public Instruction today that all this is efficient, effective and direct control of the Allahabad University. Well, Sir, this is a position which is intolerable and I do hope that the Government will at least once for all make up its mind on this matter. If they want to take it away from the Allahabad University let them do so. Let them start their own diploma examinations. I have no quarrel with them for that. It is their look-out to find whether that college will ever remain popular with the public after separation. But why have they gone on treating the University in that manner? What has the Agra University to do with the Training College? There is only one suspicion that I have in this connexion. I would ask the Director of Public Instruction, who seems to be in a very happy mood today, what earthly connexion has the Agra University with the Training College at Allahabad. I again put a straight question and I want a straight answer. Is it that they want to reduce this first grade college to a second grade college? Is it that they want to make the Allahabad Training College into a first grade college and have it merely affiliated to the Agra University, so that the University may have no direct control over its administration? So far as I am aware, some of the staff of the Training College at Allahabad do not like that they should come under the control of the University, which they regard as a democratic body, and consequently they are putting all possible obstructions in the way of the college being incorporated with the Allahabad University. As I have shown to the Council, and I hope to its complete satisfaction, for the last five years the Government have been playing with the Allahabad University as one would play with a child. Now, however, the statement made by the Vice-Chancellor, an officer who is not a public agitator, but a very sober and responsible person, shows that the Training College will either remain a part of the University or will go out. I wish to inquire from the Government what their decision is on the point.

**Dr. Shafa'at Ahmad Khan :** I listened to the speech of my honourable friend, the member for the Allahabad University, with very great interest. I have followed the controversy regarding the Training College for several years, and I have taken part in it in the University itself. In the course of his speech, my honourable friend forgot to mention that a committee was appointed consisting of myself, himself, Dr. Weir, and the Vice-Chancellor to define the position of the Training College. It recommended that "it is not advisable on educational grounds to disturb the present status of the Training College." It also recommended that the present position is not inconsistent with the provisions of the Act, and added that the position would be further regularized if formal teaching for the L. P. degree were given in the University class rooms.

**Pandit Iqbal Narayan Gurtu :** When did this committee meet?

**Dr. Shafa'at Ahmad Khan :** It met on October 4, 1923. The Executive Council at its meeting held on November 22, 1923, resolved that without committing itself to the view expressed by the committee, the Council considers it essential that the management of the College should not be taken over by the University hastily, and may the legal aspect of the question be referred to a committee consisting of Justice Sulaiman, Dr. Weir, Mr. Mackenzie, and the Vice-Chancellor. It consisted of two eminent lawyers, Dr. Sulaiman and Dr. Weir and two other persons. It decided that the present position of the Training College is in conformity with the provisions of section 36 (2) as being a College of the University, so far as "informal" teaching is concerned. With regard to formal teaching, however, it admitted that the position needed regularizing. As regards "formal" teaching, it made a series of proposals regarding the control of the University over the staff of the College, the preparation of the budget, etc. These proposals were accepted by the Executive Council, and the Education department also agreed. It was a compromise, I admit, and it had all the virtues and defects of compromise. It was not and could not be a final solution of an essentially delicate problem, and could not reconcile the divergent claims of University culture with efficient professionalism. We had arrayed before us the legitimate claims of efficient practical teaching, and the no less necessary claims of advanced knowledge and vitalizing research. The problem bristled with difficulties and dangers lurked in any arrangement that aimed merely at covering the surface, as it were, and not probing into the real causes that were overlaid with a mass of extraneous details. The question was simply this, should the University take over the Training College, or should the Training College be left resolutely alone so that we may enjoy the glorious sight of its haughty and disdainful isolation, marking as the lapse of time and the ever-increasing changes in our national life, by that wistful glance of indolent curiosity which we associate with the calm, cool and collected wisdom of an Egyptian Pharaoh. The honourable member interrupted me by saying whether the University agreed. Now this resolution shows clearly that on March 8, 1924, the Executive Council definitely and in the plainest possible terms agreed to the arrangement proposed by that committee. The last stage in this controversy, so far as the Council is concerned, was reached at the meeting of the Executive Council on April 17, 1926. The Executive Council resolved

that the request of the Government to allow the present position to continue for one year more be acceded to for one session only, that is to say, up to the examination of 1927 and no longer. So, it is therefore clear that the Council did actually agree to the proposal that the question of the Training College be postponed till the examination is held this year. After that both the Government and the Council will be free to reopen the question of the status of the Training College. This, Sir, is briefly the history of this controversy, so far as the question of status is concerned.

Sir, I am not a lawyer and I am not competent to go into the question of the legal position of the Training College. Nor, Sir, can I form any opinion regarding the arguments put forward by the lawyers on both sides. I would leave this question to be dealt with by my honourable friends, the Director of Public Instruction and the Legal Remembrancer and I shall deal with this question from a broader standpoint. Every one knows that the instructor provided in Training College consists of two parts, half of which are of fundamental importance. In the first place it must give a very thorough, sound, and practical training in the methods of teaching. That is, if I may say so, an essential function of the Training College. It is built up and founded to train teachers, and to develop in them such methods, to inculcate among them such principles, as will be instrumental in making them thoroughly efficient, eminently successful in handling large classes, and exceedingly useful in forming character, habits of discipline, and industry. They must be practical teachers, *par excellence*, and must be completely familiar with their art. Besides the art of teaching, they must know science in which that art is based, they must be proficient in the science of psychology, the history of education, the principles of education, and the fundamentals of school management and educational administration in different countries. Hence, are two aspects of the teaching imparted in the Training College, the practical aspect, i. e. giving of instruction to teachers, and the theoretical aspect, i. e. the giving of lectures on the history, and principles of education and psychology. So far as the practical aspect is concerned, the Training College, I believe, performs this function admirably. It has got a number of eminently practical teachers who give model lessons to the candidates who are going to enter the teaching profession. There are persons on the staff, who regarded purely from the point of view of their ability to impart training in practical methods of teaching, are, I believe, some of the best men in the service. But I cannot say the same as regards the training imparted in the principles of education. The teaching imparted there is no doubt satisfactory, and is not inferior to that imparted in any other Training College, but it is not of a very advanced character and is not of a University standard. To this extent the College is deficient. The College cannot give and really does not give now that advanced type of instruction in various subjects which we expect from a department affiliated to the University. I have been a member of the Committee of Courses in education, and I do not think anybody can charge me with being a silent member. At the last meeting that was held this month, I suggested the organization of a course for M. A. degree in education and that we should have advanced teaching in educational methods. Mr. Simpson, the efficient Principal of the College

[Dr. Shafa'at Ahmad Khan.]

pointed out the difficulties and I am now convinced, after further inquiries, that the Training College cannot give that type of instruction which is associated with University teaching. It has not got the resources; it has not got the staff; and it has not got sufficient time to devote to advanced teaching of principles. Its staff is overworked and its time is fully occupied with the work it is already doing. That is, Sir, in my opinion a very valid ground for emphasizing the theoretical aspect of the activities of the Training College. I am convinced, Sir, that as long as the Training College continues to impart or pretends to impart an advanced type of instruction in the principles of teaching, it will fail in its purpose. It has not got the requisite staff. It has not got the equipment. It has not got the atmosphere which we associate with a University. My constructive suggestion therefore is that the Allahabad University should be given an additional grant in order that it might be able to appoint a reader in education and a lecturer. If a reader in education is appointed, I am sure that he will infuse a new life into the study of education as a science, and the lecturer will assist him in that work. Thus the education which will be imparted will be of the advanced type which we need. This suggestion is based on my own experience of work in a training college in England. I was a student of the London University Day Training College, and have taken the Cambridge diploma in education. In my opinion, Sir, the system adopted in England is the most efficient that which has been devised in any part of Europe. The basic principle of the system is that instruction in the theoretical aspect—the aspect that emphasizes the theoretical study of the principles of education, school management and psychology—is given in the department of University. They have got specialists in various subjects who train students in the method of educational research who in their turn go and propagate their doctrines all over the world. I belong myself to the London Trinity College, which is the best College from the point of view of research work. A good deal of constructive work is done under the guidance of a number of professors and some of the work done by research students there is greatly admired. Thus, Sir, you can see the importance of the work done there. All this work is done by the University department of education where work of the higher quality is done by several Universities.

I now come to the training of teachers, this work, it is admitted, is of as great importance as a thorough knowledge of the principles. A man may know great deal about education, yet he may be an extremely poor teacher. It is, therefore, necessary not only that theoretical training should be given by persons who are combined with the highest, the noblest, the purest, and the most unselfish ideals of education, but also that they are persons skilled in their crafts, that they are eminently fit for the ordinary day-to-day problems of school management. We want, therefore, a teacher, who combines both these aspects in harmonious proportions. I submit that a scheme should be devised whereby his knowledge of theory will be gained in the University, and his knowledge of practice in a good training college. This arrangement has worked well in the chief English Universities. In the Universities in England you find the faculties of education developing to a very large extent, doing

remarkably good research work on various aspects of educational science. In London itself you have got on the one side professors of education of the University status and on the other side you have training colleges maintained by the London County Council and other bodies. There is complete co-operation between the University and the College. The Professors in the University have done remarkably good work in education. Sir, take any other city in England, take the University of Manchester, those of Liverpool, Leeds, North Wales. They have got the same system there. They have got training colleges maintained by local bodies and they have departments of education connected with the University, while in America, I believe, they have the same system of training colleges maintained by the local authorities. They are intimately connected, but the one is not merged completely in the other. Each maintains its individuality. I would suggest to my honourable friend the mover this compromise. I think it will go a long way towards solving the difficulty which has been experienced both by the Government and the University. I would suggest that, instead of merging the Training College in the University, and incorporating it completely in the University, we should have a parallel set of institutions. In the University we should have teaching given of a very advanced type where we can organize courses for the M. A. and research degrees in education; where we can train deputy inspectors educational organizers, and administrators, whom the Education department needs for its own department; while the Training College will continue to perform the essential, the primary function of the training of teachers for the various schools and Intermediate Colleges which have grown up so quickly and so rapidly at the present time.

**The Hon'ble Rai Rajeshwar Bali:** I do not propose to go into the history of controversy which has been amply described both by the member representing the University and by another member belonging to the University of Allahabad. There is no doubt that we have now come to the conclusion that the present position of the Training College is illegal. The honourable member representing the University put a number of questions to which he wanted a set of answers. As a matter of fact I think he has not clearly understood the present position. The Training College has been no doubt recognized by the University of Allahabad, but it is not under the control of the University of Allahabad. Therefore his questions relating to the appointment of Mr. Wall or relating to efficient control do not arise. The Training College is and it has always been a college under the control of the department, and therefore so far the department has controlled admissions, financial matters, and the question of transfers and postings. In fairness to the department, I think I must say that the first mistake was not made by the department, but by the University when they recognized the training College as a college under the University. It was only later on that the legal aspect was brought to our notice, and since then it has been examined, and as I have said the position is at present illegal. A number of methods have been proposed by which this difficulty could be solved and they are at present being examined by the Government. When the Vice-Chancellor made the statement that the Government would be able to come to a decision by the end of March, what he intended was that we hoped to come to a decision before the beginning of the next session, and I hope that during the next month or so we shall be able

[The Hon'ble Rai Rajeshwar Bali.]

come to a definite decision in regard to this very vexed question of the relations of the Training College with the University of Allahabad.

**Pandit Iqbal Narayan Gurtu:** My honourable friend Dr. Shafa'at Ahmad Khan referred to the recommendations of the committee of 1923, which laid down that everything was all right. I could not refer to that because I wanted to be very brief. I referred to the second committee which was appointed the next year, because it was that committee which gave its opinion that the formal teaching given in the Training College was entirely illegal. Now, my friend laid great stress upon the recommendations of that committee. I had already mentioned what the opinions of that committee were and I had already said that they had recommended that the difficulty might be got over by delegating the power of appointment to the Chancellor of the University. I referred to Statute 4 and I said that under the provisions of that Statute this ought to have been placed before the Court, but it was never placed. Therefore, the course that was suggested by this committee and approved by the Executive Council only was afterwards not regularized by placing it before the Court, which is the ultimate and final authority of the University. So that when I interrupted my honourable friend by asking whether it was the University that had agreed to it, my object was to show that it was only the Executive Council which by majority of votes had recommended that this procedure might be adopted; but the matter was never placed before the Court. It is entirely wrong to say that the University had agreed to it. He would have been right if he said that the Executive Council had suggested it, but he is entirely mistaken if he says that the University approved of that course.

Then my friend started another haro. He started with the suggestion that we may have a department for theoretical teaching in the University and leave the practical teaching to this college. Now, I purposely abstained from dealing with those questions because they were matters which can only be considered by the University and the Government. I cannot on my own authority accept that position. It may be that the Government after careful thought finds that it will duplicate expenditure; it may be that the University may not be agreeable to that arrangement. Now, this is a thing which can be discussed later on. My whole object in raising this point was to find out if the Government has or has not realized that the position is illegal and whether it is going to set it right or not, and if so, in what manner. The Hon'ble Minister has ultimately accepted publicly that it is illegal. I hope he realizes the consequences of this confession. This confession means that the degrees granted by the University for the last four or five years are absolutely null and void. If anyone tomorrow raises that question in a court of law, I do not know how the Government will be able to defend itself. You have been carrying on an illegal practice year after year, although you have been warned over and over again. I only hope that no person will take it into his head to raise the point in a court of law, but if it is done, I would then like to see what evidence the Director of Public Instruction has to give. This is certainly not a matter in which it is necessary for me to press the resolution to a division, I would therefore, with the leave of the Council, withdraw it.

*The motion was, by leave, of the Council, withdrawn.*

**Mr. Mukandi Lal :** I beg to move a (token) reduction of Rs. 100 under sub-head " B—Training colleges, Total " (page 106 of the Detailed estimates).

My object in putting this motion before the House is that I want to know from the Education department, (1) whether any students or teachers have been sent to European countries for learning the science of teaching, that is commonly called pedagogy. If they have, how many of them were males and how many of them were female candidates. (2) How many teachers trained in European countries in the art of teaching have been employed in the Education department up to this time. (3) Whether they have got any scheme for sending young teachers or qualified candidates to European countries especially for the learning of the art of teaching. (4) Whether all candidates passing from colleges usually get employment and whether any record is kept of such trained candidates. That is the information I want the Director of Education to supply the House.

**Mr. A. H. Mackenzie :** The honourable member's motion is like an examination, but I shall endeavour to give the information. We have established three scholarships for training men in western methods of education. Last year we had two and we have added one this year, making a total of three. We sent also one lady student for training, so that altogether we have four scholarships for training in western methods of education. In addition we have scholarships which are awarded to students of the Allahabad and Lucknow Universities. Some of the scholars whom we sent abroad have returned to India and have secured appointments. There is a lad, who came back a few months ago and is now a headmistress in an important girls' school in Allahabad. One of our men scholars has returned and he has recently been gazetted as headmaster of a Government High School. I hope that there will be ample opportunity of employment for those scholars who are sent abroad.

As regards the output of the training colleges maintained by the department we are not able to give Government employment to all, but we have kept a record of the careers of the students who have gone out from training colleges and my information is that our supply of trained teachers at present is not in excess of the effective demand for them. We succeed in obtaining employment for them partly in Government institutions, partly in secondary aided institutions, and partly, under the district boards, for the teaching of English in Middle schools. I hope I have got pass marks in my examination.

**Mr. Mukandi Lal :** The Director of Public Instruction has passed the examination and I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Hafiz Hidayat Husain :** I beg to move a (token) reduction of Rs. 1 under the entire head " Total Rs. 23,49,420 Intermediate colleges "

Sir, it is only a token reduction, and my object in moving this motion is to draw the attention of the Government and the Council to the disadvantages that have arisen in the working of this system. I am not going to revive the history of education relating to this system. It was launched at a time when one of our illustrious publicists was in office and launched under circumstances of great financial

[Khan Bahadur Hafiz Hidayat Husain.]

stringency, but I will draw the attention of the Government to certain admitted drawbacks, admitted in the report of the Director of Public Instruction and admitted by distinguished educationists. My own view of this system of education was expressed in detail by me when the Agra University Bill was referred to the Select Committee and I will not repeat those arguments here. Only the day before yesterday the Minister for Education in introducing the education budget emphasized the importance of this system of education. He also said that it had come to stay and that its modification at this stage was out of question because it had not yet been given a fair trial, and not having been given a fair trial any deviation from that system would mean inconsistency and incontinuity in the educational administration of the province which was undesirable. I keep these points before me which the Hon'ble Minister emphasized in drawing attention to the disadvantages in the working of the system and to which the Director of Public Instruction has also drawn attention. Be it not forgotten that the Director of Public Instruction, Mr. Mackenzie, is a great enthusiast of this system of education. Presiding over the Kayastha Pathshala anniversary on December 4, 1926, he drew comparison between the percentage of passes in Intermediate Colleges and the passes of Intermediate classes of degree colleges of pre-reform days. He gave the following figures:—

	Inter- mediate Colleges.	Inter- mediate classes of degree colleges
Percentage of passes in the Intermediate Examination ..	57.2	46.3
Passed in the first division .. ..	23	10
Passed in the second division .. ..	268	180
Number who gained distinction .. ..	27	13
Number who won B.A. scholarships .. ..	11	1
Number who won B.Sc. scholarships .. ..	9	1

Now, Sir, the comparison is made upon a misleading basis. In the results under the new system there are no students from the Aligarh College, from the Muir Central College, and the Canning College, while under the old system, a considerable number of students would appear from each of these centres. Now we have only second class colleges with 2nd class students. Considering the status of those colleges, the percentage of passes in those colleges, specially in the higher divisions, was higher.

A comparison which took into account Muir Central, Canning and Aligarh Colleges now would certainly be of profit.

Now Sir, I want to draw attention of the House to the point directly raised in the report of the Director of Public Instruction. It says that the standard of English is said to be deteriorating. It is a great element the teaching of English has been in the conceptions of ideas of nationalism in this country. I do not, Sir, for a moment deprecate the great advantages of indigenous languages, but I insist that any deterioration in the standard of English in our young men would not be conducive to the realization of those ideals of



nationalism which the English language has fostered. That is why I say that earnest efforts must be made for the inculcation of the English language on the same standard of efficiency as was done before. I am afraid if we persisted in the present system which seems to have caught on, English would go, and I again repeat that the greater the improvement made by the Indian people in the English language, the higher will be their place in the comity of nations.

The second point which the Director of Public Instruction has emphasized is that the inclusion of classes III to XIII in one institution is not conducive to good discipline and some inspectors have observed a deterioration in the manners of the senior boys in the intermediate colleges. I should very much like to know what steps are being taken, or have been taken, so far in order to prevent deterioration in the discipline of our students in these colleges. Indeed, it would be a bad day if discipline were to disappear from our educational institutions.

The third point that I wish to refer to is the manner of the use of the medium of instruction. Some time ago a regulation was passed by the Intermediate Board that the medium of instruction may be Hindustani, i.e., Urdu or Hindi. The report of the Director of Public Instruction throws some light on this point. The Inspector, Rohilkhand Division, writes:—"The subordination of English to the mother tongue would certainly be most desirable if there were any likelihood of the development of a national language. I have listened to a great many lessons in classes IX and X where the teachers were using what purported to be the vernacular, but it was the simplest household speech interspersed with strong Anglicism: for example, the teaching was

"Is ka yeh historical significance hai ki."

The other day Sir Tej Bahadur Sapru, presiding at a meeting, described the national language which educated Indians had developed. What they speak was something like this:—

"آپ کو دیکھنے کی ہم کو بہت دہ قبی اور آپ کو دیکھ کر ہم کو بہت پرہ ہوئی"

One does not know what that means, but the picture is certainly life-like. The upshot is that in one case we deteriorate from the standard of English, and in the other we leave a hybrid language for Hindustani. Therefore, Sir, my points are, if this intermediate education is to continue, and as the Hon'ble Minister said the other day it is to continue for some time yet to come, I think something ought to be done—(1) to bring the education in English to the level of efficiency. The second point I would stress is to restore discipline, and the third point is the grouping together of boys from classes III to XII in one institution which ought to be avoided. I would be glad to hear what remedies the Director of Public Instruction or the Hon'ble Minister are going to adopt in order to meet the points that I have raised.

*[The Council here adjourned for lunch.]*

*After the recess.*

**Pandit Bhagwat Narayan Bhargava:** May I move my own motion, Sir, or speak on this motion?

**The Hon'ble the President:** As you like.

**Pandit Bhagwat Narayan Bhargava :** I beg to move that . . . .

**The Hon'ble the President :** If the honourable member wishes to speak on the motion before the House he may do so, but if he thinks that his motion is such an important one that it must be moved separately he should do so later.

**Pandit Bhagwat Narayan Bhargava :** I will speak on the motion before the House.

The first point which I want to bring to the notice of Government is about the Commercial Diploma examination which is regarded by the Education department as equivalent to the Intermediate examination. In the Allahabad University calendar you will find that in Chapter XVII it is laid down that the Commercial Diploma examination will be treated on the same status as the Intermediate examination, but in the matter of Government service a distinction has, in fact, been made between these two examinations. Those holding the Commercial Diploma examination certificate are not meted out the same treatment as those holding the Intermediate examination certificate. Complaints have arisen in this connexion and a reference was made to the Secretary of the Board of High School and Intermediate Education, but as the matter was not in the competence of the Board he replied that the Board was not concerned with it. That is the reason why I have to bring this point to the notice of the Government. The equivalence of these two diplomas has been recognized not only by the Allahabad University, but also by the Lucknow University. In that case I do not see any reason why these two examinations, when they are regarded as equal in the matter of admission to higher classes, should not be so in the matter of Government service.

The other point which I wish to bring to the notice of the Government is about those senior teachers, specially headmasters of English schools, who have been in the service of the Government for several years and are about to retire.

This point was discussed by my friend Khan Behadur Maulvi Fasih-ud-din last year, and some sort of assurance was given by the Government, but we do not know what has been done with regard to it. We know the present Government high schools were originally under the control of the district boards. Afterwards they were transferred to the control of the Government. But the teachers who have been in the service of these very schools which were under the control of the district boards, are not being given the benefit of pension for their 20 or 25 years of service. I think it was said by the Director of Public Instruction in last year's debate that these teachers were in the service of the district and they accepted that service knowing full well that they were not going to be given pension. But I think the Director will also be knowing that if they had continued their service under the district boards they would have been entitled to provident fund and to gratuities and other allowances. Under these circumstances these teachers, specially the head teachers, have been put under great disadvantage by coming into Government service. I hope this matter will be given due consideration by the Government. I am also aware that in this connexion certain inquiries were made about the tenure and conditions of service of these teachers at the end of last year. Up till now the result has not been announced by Government.

The third point I wish to bring to the notice of the Government is that side by side with looking after the educational progress and discipline of educational institutions as pointed out by my friend, Khan Bahadur Hafiz Hidayat Husain, special attention should be paid to the morals of students of the intermediate colleges in which lower classes are attached for the education of small boys. I have particularly in mind the Intermediate College, Jhansi. The state of affairs there is not above suspicion, and some time ago some students who were either rusticated or turned out from other schools in other districts have come to these institutions. Some of them have already been admitted and some others may be loitering about. These persons cause nuisance to the boys of young age who read in the school classes by giving them various sorts of temptation. If the Director of Public Instruction is prepared to make some definite inquiries into the matter I shall gladly give him definite facts. I hope that due attention will be paid to the morals of the students so that they may be saved from corruption and their character may not be spoilt. In fact, the attention of the Principal should have been drawn to this and he must be alive to his own responsibilities and duties in this connexion.

**Mr. Mukandi Lal :** There is a motion (71) in my name, but instead of moving it I shall speak on the motion which is before the House. At the very outset I should like to say I am not in favour of any compromise or any halfway house. I am for total abolition of the system of intermediate education.

It is an open secret that the system of intermediate education was devised by the Calcutta University Commission. The Commission that was appointed to investigate the educational system of the Calcutta University, particularly secondary education, gave reasons for recommending this system for Calcutta. The reasons they gave were that the schools should have a wider curriculum; that they should have a larger number of trained teachers and better equipment, as many parents who were making sacrifices in order to give their children high school education got a very poor return for their self-denial. Therefore, in the opinion of the Commission, the educational system prevailing in Calcutta was unsatisfactory, and it required radical reform. It came to the knowledge of the Commission that the refuse of some of the Indian Universities became the glory of the Calcutta University. An instance was given before the Commission that five students who were refused permission to appear for the Matriculation examination in Madras came to Calcutta. Three of them topped the list, and the other two came in the first division among the first twelve students who passed in that division. That is, those students who were not allowed to sit in Madras joined the Calcutta University soon after and were in the first 12 places in the first division. It came to the knowledge of that Commission that out of about 28,000 students in Calcutta University 16,000 were huddled together in Calcutta itself. Only 8,000 were provided with hostels and other facilities of dwelling and the other 8,000 had to live in undesirable lodgings. There were only about 2,000 students who lived with parents. It was the desire of the Commission that the 8,000 homeless students who came from the mufassil should be sent to their homes and for that intermediate institutions should be established. The Commission found that the standard of the Calcutta University was much too low. The main idea was to give better lodgings to students, to provide

[Mr. Mukandi Lal.]

teachers and better standards of studies. And what do we find, Sir? This system which was recommended for the Calcutta University was not adopted there, but it was adopted in our province, which I might say is a dumping ground for all sorts of new schemes and experiments. Sir, you are aware that Madras did not adopt this system, Bombay did not adopt this system. The Punjab did not adopt these also. Not only this. Four Universities, new Universities, were founded since the findings of the Calcutta University Commission. The Burma University was re-organized in 1924, and the Governor, in whose time this new system was introduced in our province, was the Governor of Burma then. Yet in the new University of Burma this new system was not introduced. In Nagpur the University was founded in 1923; this system was not introduced. The Delhi University, founded in 1922, did not introduce this system, and in the Patna University, which was founded about 1917, you will not find this system. Nor do we find it in the two new great Indian State Universities of Hyderabad and Mysore. These are new progressive Universities; and, if the system had been considered advantageous, it would have received their sanction. If it was fundamentally good, it surely would have been adopted in these new Universities. When the system was introduced in our province vain hopes were entertained, and the Minister who was in charge of the Bill then, and who is now sitting on the right side, the opposition in the House, said that it was out of the question that any responsible Government or responsible body of Indian opinion could lightly lay aside the authoritative pronouncement of so competent a body as the Calcutta University Commission with the remark that things being as they are they are unacceptable. That is to say, it was considered at that time that the business of these provinces is to work up to the recommendations of the Calcutta University Commission which were meant mainly for the Calcutta University. Then, Sir, it was urged that the system was so very good that we were told that we shall be far more certain of realizing true Swaraj, and we shall be making our country one of the self-governing and self-respecting countries of the world if we adopt this system. And we have adopted the system. But no Swaraj has come even in the Educational department. At that time (1921) the House accorded its lukewarm support to it; but there was one who was not very sanguine about this system. The honourable member for Meerut said, in 1921, that the success of the whole scheme of intermediate education, having regard to the cost and having regard to everything else, will depend on what sort of students are turned out from these institutions and what sort of vocational education is given to the students. That was the opinion that was expressed by the honourable member for Meerut. But, unfortunately for Meerut and for the House itself, he cannot express his opinion in this House now. But, Sir, I take this as the text for my condemnation of the system of Intermediate education. It was pointed out by you on the floor of this House that we have got to see what these new institutions are going to do for our country. But what do we find? We find that the high schools, though they are called Intermediate colleges, have become no more than glorified High schools; and two years of higher collegiate life, of higher social intercourse, has been denied to our students. They are to be content with school life for two years more.

Lord Haldane, when he appeared before the London University Commission said that it is absolutely essential that pupils who are just beginning their education should be taught and lectured by highly-trained expert teachers. So long as our students were allowed to enter the University they came in touch with specialists, experts in their subjects, and derived what benefits they could from the higher equipment of the professors of a higher grade. But since the introduction of the new system what do we find? We find that the very schoolmasters with the same limited outlook on life which they had when they were schoolmasters have become professors. When students leave the schools and come to colleges they come to a new life, the life they should have participated in for four years. Now, instead of giving them the training which they ought to receive in colleges they have been degraded as it were to the school classes and they have to be content with that. Particularly, when we have in our new Universities the residential system, when we expect free intercourse between the teachers and the taught, it is all the more necessary now that the students should come up from the school atmosphere to the college classes as early as possible, so that they may come in contact with higher ideals at an impressionable age. At a time when their character should be formed they have already become narrow in their outlook. We know, Sir, when they come to the University they have to begin anew in History, Economics, and Science. If they are to come to the University for the completion of their scholastic career there must be an organic connexion between the Intermediate education and the University education. At present the Universities have no hand in the framing of the curricula of the Intermediate colleges, because the Intermediate Board is quite independent of the Universities; and the University professors cannot, therefore, have a hand in the shaping of their future pupils. In view of all this I say that it is high time that we considered the whole matter carefully. If the Education department does not think it necessary or advisable at this stage to overhaul the whole system, I venture to suggest that at least we should have a half-way house or a compromise. Let there be one year added to the school classes and one year added to the present college classes, so that we can have three years of higher educational training in the colleges and one year's additional finish at the school. With these remarks I do press on the Education department that, considering the criticisms that have been made in this House, and considering the fact that the system has not been adopted by other sister Universities, we should stop increasing the number of the Intermediate colleges. I do not think that it is economical to multiply these colleges and make them glorified high schools instead of making them colleges in the real sense of the term. We have seen with our own eyes that some of the fine colleges, for instance, the Ewing Christian College of Allahabad, the Kayastha Pathshala College of Allahabad, and the Reid Christian College of Lucknow have been converted, or metamorphosed into high schools instead of being elevated to colleges of a higher status. Therefore, in the interests of higher education, I do think that it is time that we revised our opinion on this question. I hope I have made it clear that it is high time that we revised our opinion about the Intermediate colleges, and set our house in order and allowed our young men to participate in higher and better University life as soon as they can in their school studies.

**Pandit Brijnandan Prasad Misra :** I have only to invite the attention of the Government to a crying need of my district. I am not a whole-hogger like the previous speaker, nor one who would like to remain without a house. I am one who would prefer a half-way house. In bringing to the attention of the Government the need of my district I think am voicing the feelings of the whole district, or at least of such of the people as are interested in education. The Director of Public Instruction had been to my district, and so also the two Ministers of Education, I mean the predecessors of the present incumbent in the office. They have all seen the Government High School in my district with their own eyes, and I know that they were all satisfied, including His Excellency, with what they saw, with the progress it has made, and the growth that is taking place in the school itself. I understand that the question of starting an Intermediate college in the district was put before the Director of Public Instruction, who, I think, had expressed his sympathy with the idea when he visited the school. As long as the policy of the Government is what it is with regard to the establishment of Intermediate colleges, I think, I am justified in making a demand that my district should also have the advantage of an Intermediate college. The policy remains there with the continuance of the Intermediate Act, and it has been, rightly or wrongly, adopted by this Council, for no fault of mine. The necessity for an Intermediate college in my district is great, and the Director of Public Instruction knows that our school is quite a big school and can compete favourably with any other school in these provinces. The number of students has of late grown considerably, and it is, therefore, necessary that an Intermediate college should be started in my district. The question of the difficulty of funds will probably be raised. But that difficulty will not be so great in the case of my district because my district will be willing to pay its full quota for the establishment of a college of this kind. As the department is probably aware, we have got a local fund (the Drummondganj Endowment fund), and at least Rs. 10,000 is annually taken away out of it by the Education department for purposes of the Government High School which ought to be met from the provincial revenues. It is an absolutely unjust charge upon the local fund. The local fund can give this amount of Rs. 10,000, and also another amount of at least Rs. 10,000, for the purpose of maintaining the Intermediate classes. There are other reasons, also, which strengthen my demand for the opening of an Intermediate college in Pilibhit. The Municipal Board of that town has of late passed a resolution, saying that it is quite willing to impose fresh taxation if the Government open an Intermediate college there. And the District Board has agreed to place the town school building and the boarding-house at the disposal of the Government, should the Intermediate classes be opened there. The town school is in close proximity to the Government High School, and so both together will provide suitable building accommodation for the Intermediate college and the school. In the circumstances I trust the Government can have absolutely no objection to open the Intermediate classes at Pilibhit, and I shall anxiously, but hopefully, await a reply from them on the point.

**Rai Bahadur Babu Vikramajit Singh :** I rise to speak on the motion before the House, although I have a similar motion standing in my name. I wish to place before the Government and the Council the need for having more Intermediate colleges. We find from the

report of the Director of Public Instruction that the number of Intermediate colleges is only 26. This number is the same as that of last year, so we have not succeeded in opening any new Intermediate college in the course of a year. That, I submit, is not a very gratifying feature. The present number of Intermediate colleges can accommodate a maximum of 2,250 students, allowing for one section in each college. The number of high schools, however, is 163, and their maximum strength is 11,410. Therefore, if the maximum strength is reached both in the Intermediate colleges and in high schools there will not be sufficient facilities for students who pass out the high school examination for studying in Intermediate colleges. But I must say here that the Government Intermediate colleges are very expensive. There are eight Government Intermediate colleges, and the money provided for them, if I have understood the figures aright, comes to something like 23 lakhs of rupees, so that each college spends about three lakhs of rupees on its maintenance. This is rather a high sum for maintaining only eight Government Intermediate colleges. On the other hand, we find that there are 163 high schools and 18 Intermediate aided institutions, and the money provided for all these institutions comes to something like 25 lakhs of rupees. If, therefore, you will compare the expenses on the Government Intermediate colleges with those on aided institutions and high schools, it will appear that the provision made for secondary education in our high schools, Intermediate colleges, and aided institutions is much smaller than what it is in regard to Government Intermediate colleges. The policy of the Government, I think, should be to allow the high schools to open more and more Intermediate classes. But it is not necessary for the Government to open Government Intermediate colleges as their colleges are very expensive. It may not be difficult for high schools, to open two classes, while it will always be difficult to establish a new Intermediate college. It has been stated by the honourable member for Garhwal that he disagrees with the policy of the Intermediate Act and he would not like that the policy of that Act should be given effect to. From the very beginning there have been two views on this question. One view has deprecated the severance of the Intermediate classes from the degree colleges, and the other view has been that it will do very well to have the intermediate classes separately. I am one of those who take an intermediate course. I think that the degree colleges who have got Intermediate classes should be allowed to keep their Intermediate classes. It is always easy to run the degree colleges with the Intermediate classes, and the students will have the benefit of that association which has been recommended by some members of the Council. At the same time it will be a relief to the degree colleges to run them economically and successfully. But this does not mean that separate Intermediate colleges should not be established. On the contrary, I think that the high schools, wherever strong and the funds permit and the number of students is large, ought to be permitted to open Intermediate classes, and in this way these Intermediate colleges will act as a sort of feeder to the Universities. After all, we have got residential Universities, and it is necessary to have students who have passed the Intermediate examination. If we have not got a sufficient number of Intermediate colleges, it will be difficult for the Universities to get a sufficient number of students to train them for degree and post-graduate courses. The associated colleges may

[Rai Bahadur Babu Vikramajit Singh.]

allowed to have their own Intermediate classes. There ought to be always a large number of Intermediate colleges who would be able to send out students either to the Universities or to the other associated colleges. The policy of the Government should, therefore, be to allow the associated colleges to maintain their Intermediate classes and at the same time to go on with opening Intermediate classes in schools wherever the need arises. The honourable member for Pilibhit has drawn the attention of Government to the necessity of opening Intermediate classes in Pilibhit. I think that there is need for opening Intermediate classes in many other districts. The Intermediate Board has rather been strict in giving recognition to new Intermediate colleges. I think, Sir, that this policy, if pursued in the manner as it has been pursued in the past, will not be very conducive and helpful to the promulgation of secondary education. We should not be so strict in giving recognition to high schools to raise themselves to the standard of Intermediate colleges. If recognition is allowed to high schools, then it will be the duty of the department to see that the schools and the Intermediate classes are strengthened. I am quite sure that, if more Intermediate classes are recognized, the department, with its vigilance, will always be able to see that these classes are efficient and strong enough to compete with other sister Intermediate classes. The department should not put a stop to the further growth or development of Intermediate education. The other point raised was in regard to recognizing the Commercial Diploma classes as an equivalent to the Intermediate classes. I can say from my experience that the students who have received training for the Commercial Diploma class and have passed the examination are in no way inferior to those who pass out from the Intermediate colleges of arts and science. I think that, from a practical point of view, the students who pass the Commercial Diploma class are superior in many respects to the ordinary students who pass out from an Intermediate college. Therefore there seems to be no reason why the status of a Commercial Diploma holder should be in any way inferior to the status of an Intermediate passed student. In fact, a similar point came to my notice when I found that a college which was teaching students for commercial diploma was not recognized as an Intermediate college, while a college which was teaching arts and science was so recognized. I think that is anomalous, and that seems to be a view which is not correct. Therefore I say that the amount provided for the Government Intermediate colleges seems to be rather excessive; while, on the other hand, the amount for secondary education seems to me to be smaller than what is really needed. For the growth and expansion of secondary education it is necessary that a larger number of high schools and Intermediate colleges should be opened, and the Government should be prepared to contribute to the aided institutions. It should rather encourage private institutions more and more, so that for a smaller expenditure the education may be expanded or increased. A remark was made by my learned friend, Khan Bahadur Hafiz Hidayat Husain, about the deterioration of English. A passage was read out from the report of the Director. But I do not think, Sir, that the passage relates to the Intermediate classes. That passage seems to have been used entirely in connexion with another matter. Probably discussing the question of the medium of teaching the passage seems to have



been used in relation to the effect of vernacular as the medium of teaching. I do not think that any deterioration of English can be laid to the door of the Intermediate Act or to the opening of the Intermediate colleges, because wherever Intermediate classes existed in the associated colleges they do exist even now. There are only a few cases under which new intermediate colleges have been opened and these cases have been very, very few indeed. So that it is not possible to connect any deterioration of the teaching in English to the opening of the Intermediate colleges. Of course one thing should always be taken into consideration that the minor classes may not be kept in the Intermediate colleges, and I believe this is the policy which the department is advocating, namely, that you can have in the Intermediate colleges classes from 7th to 12th or from 9th to 12th. Other minor classes, that is, from 3rd to 5th, are always to be separated from the Intermediate colleges. I may also here point out that the opening of Intermediate classes in the high schools does not seem to be a policy inaugurated under the Intermediate Act. But, as a matter of fact there have been some Intermediate colleges even under the old Allahabad University Act and even much before the passing of the Intermediate Act. So that there have been some schools in the past which used to keep Intermediate classes, and the keeping of the Intermediate classes with the other classes in the high school may act in a way prejudicially to the interests of the Intermediate classes. But at the same time it may act favourably in the interests of the high school classes because if the tone of the Intermediate classes will, to a certain extent, go down by their being prevented from associating with the students of higher classes, in the same way the tone of the students of the minor classes may go up by their association with the students of higher classes. Therefore in some cases there may be a disadvantage, in other cases there may be an advantage, and, as I have said before, I take really the middle course, to let the associated colleges keep their own classes—Intermediate classes—while let the high schools open more and more Intermediate classes in the interests of the expansion of secondary education.

**Mr. A. P. Dube :** I beg to draw the attention of this House to the treatment given by the Government to the resolution which was adopted by this House on January 24, 1927, making physical education and the use of fire-arms in recognized institutions compulsory. The upshot of that resolution was that, so far as the University corps was concerned, the House asked the Local Government to take steps to get the sanction of the Government of India to allow the Local Government to deal with and manage those training corps inside these provinces, and, so far as the other institutions under the control of the Local Government were concerned, to take the initiative of introducing physical education accompanied with the use of fire-arms. To-day my honourable friend from Moradabad has succeeded in eliciting an answer to his question relating to this subject as to what action the Government have taken in the matter, and the answer is that Government are taking action to make physical training compulsory in all recognized institutions, and to draw up a graded syllabus of instruction in physical training in all classes. Everyone will notice herein the absence of mention of fire-arms altogether. My submission before the House is that it is not impossible for the Local Government to move the matter at all. I had occasion to point out to the House

[Mr. A. P. Dube.]

who are the representatives of the majority of the population of these provinces had got only the floor of this House to air our grievances, and we have in an unmistakable manner recorded and passed a resolution that we want that there should be physical education accompanied with the use of fire-arms. There is, therefore, nothing to prevent the Local Government in taking the sanction of the Government of India to enable it to carry on that education. In the discussion on the resolution it was also suggested that, if regular fire-arms could not be obtained, the Government could make a beginning with such harmless weapons as air-guns, and with such weapons as can be fitted with Morris tubes. Now the Government has given a complete cold shoulder to this portion of the resolution, and from the answer that has appeared today it seems that it proposes to take no steps. The necessity of such an education has not been realized by the Local Government at all. The Local Government is acting upon the principle of going along the line of least resistance, so far as it thinks that there is nobody to worry it into action, it is going to remain quiet in the matter. I submit, Sir, that the question is of vital importance for these provinces and for the whole country. It is no use repeating the facts of history, or the experience of humanity in this matter, because the Local Government or the officials concerned in this matter are not going to take their lesson. There is nothing that can drive that lesson home. What has passed before us during the last fifteen years, what is passing before us in the very near horizon, in China, and what is in prospective view before us within ten years is thoroughly illustrative of the statement made by Prince Bismarck :—"It is not by speeches or resolutions of majorities that great questions are decided, but by blood and iron." We see before our eyes that history is progressing through blood and tears, and yet the Local Government thinks that without the provision of an army, or something amounting to an army, they can have reforms, they can have Home Rule, they can have independence. Experts have begun to say that we might expect another war within ten years, and then it will become necessary for everybody to search for soldiers and for fire-arms and the same policy of muddle-through will once more be adopted by the Government. In spite of these facts we have not got anything like an army, we have not got a navy, excepting, perhaps, a few sardine tins euphemistically called the gunboats of the East India Squadron. The House should apply the whip to the Local Government and make it go forward much the same way as a horse dealt with in the same fashion goes forward. The Government of India would not have the slightest hesitation in meeting with the wishes of the Local Government if only the Local Government will take the trouble of approaching the Government of India. We see, and everybody ought to see, that the atmosphere of the whole world, especially on the Asiatic horizon, is surcharged with electricity, and we must expect war very soon. Many of our countrymen have been taken from India to the shores of China, as so many sacrifices to be presented at the smoking shrine of Mars in China, and yet we are crying in the wilderness, and the Local Government is not taking the slightest notice of the resolution passed by this House. I submit it is the duty of the Transferred departments to carry out, so far as they can, the resolutions passed by this House. What is the justification for the Transferred

department of education not moving in the matter at all I cannot understand. I, therefore, once again invite the attention of the Government to this most important matter—the imperative urgent need not only of these provinces, but of the whole country, and I hope that they will see their way of doing something in the matter.

**Maulvi Tufail Ahmad :** In the first place I beg to offer my very hearty congratulations to the Hon'ble Minister, the Director of Public Instruction and the Education department for the remarkable progress they have made with the small amount of money at their disposal in the number of secondary schools and the number of students as compared with the figures of last year. The report of our sympathetic Director shows that there has been an increase of 28 institutions and 10,272 students over those of the last year, which is very creditable; but I take the liberty of pointing out that looking to the requirements of this province, how very meagre is the provision for our secondary education. The report of the department shows that at present for an area of a lakh of square miles and for a population of 45 millions in our province there are 150 high schools, which means that for an area of 685 square miles and for a population of 2,92,000, or about three lakhs of persons, there is only one high school. From this it is evident to what extent expansion in secondary education is necessary. Only about 35 lakhs of rupees are being spent at the present time in such a big province; but the fact of the matter is that the expansion of education depends, not upon the exertions of the under-fed and starved Education department, but upon the importance attached to the necessity of education by those who have power in the administration. We can get an idea of the importance of the secondary education to a progressive nation from the following incident :—

Prior to the Great War the Government of the United Kingdom had responsibility only for the primary free education of the children of their country. During the course of the War, however, it was discovered that the Germans, owing to their superiority in education, proved superior in the battle-field. What was then, the course adopted by the British Government at this critical moment? Did they wait for the termination of the War when they could get leisure to appoint committee after committee and commission after commission, who, after spending a couple of years in investigations and cross-examinations and journeys all over the country, submitted contradictory reports with abstruse conclusions and whose recommendations were to be half-heartedly acted upon, provided funds had not been absorbed by the so-called important departments? Nay, on the other hand, the British Government in their country regarded education during the War as even more important than in the days of peace, and in that period of extreme excitement and necessity the Education Act of 1918 was hurriedly and vigorously passed, according to which the State took upon itself the responsibility of providing secondary education for each and every child of the country besides primary education.

*At this stage the Deputy President took the Chair.*

I do not know whence the money then came for education when crores of rupees were being spent on defending the country against raids of the enemy and when life and property and all that

[Maulvi Tufail Ahmad.]

and near to the heart was in imminent danger. Let us compare this with the standard and ideal of our country. We are in our turn forced to believe that, even in the days of peace, it is beneficial to raise loans of crores of rupees for the purpose of erecting buildings for the police, and curtailing the expenditure on education at a time when out of a total of 28½ lakhs of boys of school-going age 18½ lakhs remain unprovided with education. In this connexion I have no hesitation in saying that at present we do not stand in need of having efficient and highly-paid administration of justice and abundant police force which take away about four crores of our revenue. What we really need is the means of increasing our intelligence and thus transporting us from the domain of animals to that of intelligent beings. We in the long run, would not suffer much from a deficiency in courts and police force. It is said that such a deficiency would cause, and would lead, to quarrels amongst ourselves, and bloodshed would thus stop our development at present, but I daresay that we can arrange for better education at this risk; we must be prepared to take it once and for all. An experiment in the increase of the number of educated Indians, if we can thereby get the survivors better educated, is worthy of a trial. What is the use of 32 crores of Indians who are driven like herds of cattle by a handful of intelligent beings? Is it not historically true that the religious wars of the Middle Ages in Europe were stopped not by military force, but by the *Renaissance*, that is, the period of learning in the 15th century? But what have we got in India? India is fortified and surrounded on all sides by a strong military force on which more than half of the Indian revenue is spent. Internally, smaller forces under the names of general administration, administration of justice, and police have been erected just like cattle-pounds in which Indians are to be kept ignorant and made to serve their able masters.

**Pandit Badri Dutt Pande :** Is the honourable member reading his speech, Sir?

**The Deputy President :** Evidently he is quoting from some book.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Are they quotations?

**The Deputy President :** The honourable member may go on.

**Maulvi Tufail Ahmad :** Our greatest misfortune is that our highly intellectual rulers, who consider education to be of the utmost importance for their own nation, change their views as soon as they set foot on the shores and give the first rank to the so-called internal forces, creating a bad and baneful effect, worse than the most devastating of the dark ages. For the attainment of the ideal of peace our hard-earned income is absorbed in fortifying our fortifications, and even our brains.

**The Deputy President :** May I know if the honourable member is reading his speech or quoting others?

**Maulvi Tufail Ahmad :** I am going to quote.

In conclusion I would submit to the Council what Mr. Harrop says in his report. He says :—

“The Punjab has found more money for education, in proportion to its population, than has the United Provinces . . . . To have kept pace with the Punjab the United Provinces should have spent in the four years (1921-25) another seven crores on education or 1½ crores more per annum.”

This quotation shows how much our province has been failing in its duty towards education. I beg to submit, therefore, that the contribution that has been remitted by the Imperial Government may be devoted to education, the major portion of it being devoted to secondary education.

**Khan Bahadur Saiyid Jafer Hosain:** I desire to say a few words about the All-India Shia College at Lucknow. Honourable members are aware that this college came into existence as a result of the resolution passed at the ninth session of the All-India Shia Conference held at Allahabad in 1915. Ever since its inception matters have gone from bad to worse owing to the mismanagement of the present joint secretary. I may inform the Government also that the All-India Shia Conference, at its special session at Amroha, in the district of Moradabad, and at its annual general session at Patna in the year 1926, passed several resolutions condemning the attitude of the present honorary secretary and joint secretary and the mismanagement of the Intermediate college. Sir, I may be permitted to quote one resolution passed at the aforesaid special conference at Amroha, which runs as follows :—

“This special session of the All-India Shia Conference put on record its vote of non-confidence against the honorary secretary and the joint secretary of the Board of Trustees of the Shia College as they have, by their unconstitutional conduct and unscrupulous proceedings behind the curtain, calculated to injure the interests of the college, thrown cold water over the Shia College movement, a charge borne out by the following facts :—

“(a) Their omission to take any initiative or make any appeal to the community for raising funds · their not bringing into existence any new sub-committees.”

**Mr. A. H. Mackerzie:** I rise to a point of order. The management of this particular college has nothing to do with the Education department. I would ask if the honourable member is in order in discussing the management of this institution.

**The Deputy President:** As it has been brought to my notice that this college that the honourable member desires to discuss has nothing to do with the item before the House, I would ask the honourable member not to proceed further with it.

**Khan Bahadur Saiyid Jafer Hosain:** I will come to that part presently if I am allowed to proceed. Lastly, Sir, the resolution says :—

(b) “Their making no efforts for the admission of students from different parts of India and thus to make the college a real all-India institution befitting its name.”

[Khan Bahadur Saiyid Jafer Hosain ]

"(c) Their not making any good arrangement for the moral and religious culture of the students, failure to infuse religious and moral spirit amongst them either by holding religious congregations and sermons or by impressing high morals on them through contact with persons possessing highly moral and spiritual qualities, and their lack of supervision of the teaching department proved by the bad examination results shown by the college.

"(d) Their not remaining in touch with the students to keep themselves informed of their educational requirements and moral training as their guardians and to create an *esprit de corps* amongst the boys themselves.

"(e) Their not calling meetings of the Board of Trustees regularly during their tenure of office as they were required to do under the provisions of section 8 of the constitution of the governing body of the Shia College.

"(f) "Their conducting important proceedings (such as amendment of the constitution, election of new trustees, change of site of the college buildings, etc.) of the Board of Trustees, managing committee, and other sub-committees of the Shia College and its connected institutions in *camerâ*, and keeping the Shia public in ignorance of important matters," and lastly, Sir,

"(g) Their not maintaining those cordial relations [with the All-India Shia Conference, the maintenance of which was essential between a parent and a subordinate institution."

Now, Sir, last year the honorary joint secretary sent certain amendments of the constitution of the Board of Trustees and of the Shia College to His Excellency the Governor for his approval. My submission is that the amendments sent by the honorary joint secretary are not in the best interests of the college.

**Mr. A. H. Mackenzie:** I rise again to a point of order. Is the honourable member in order?

**The Deputy President:** I rule that it has nothing to do with the item before us. I would ask the honourable member not to refer to that matter.

**Khan Bahadur Saiyid Jafer Hosain:** My submission is that the present state of this Intermediate college is deplorable. I ask the Government to impress upon the authorities concerned to improve the executive administration of the college and to look after the comforts and the religious and moral instruction of the students. I hope the Hon'ble Minister for Education will look into the matter and see that the real grievances of the Shia public in this connexion removed and the grant enhanced.

**Mackenzie:** I shall deal with the main matters which have course of this discussion. My friend, Khan Bahadur Hosain, referred to the discipline in secondary schools. I think the Khan Bahadur Sahib took rather a gloomy view of the discipline in our secondary schools. It is true that in my report I said that the inclusion of classes III and XII in one institution is not conducive to good discipline. At the same time I said in the same

paragraph that discipline generally had been normal, there being few serious breaches, and my view is that, generally speaking, we have maintained the standard of discipline in our secondary schools. Then the Khan Bahadur referred to the teaching of English in Intermediate colleges. Later on in the course of the discussion Rai Bahadur Babu Vikramajit Singh expressed the view that there had not been deterioration in the teaching. I would agree with Khan Bahadur Hafiz Hidayat Husain that there is room for improvement, and the committee which recently considered the working of the Intermediate Education Act have recommended definite measures for improvement in the teaching of English. Their report, I hope, will soon be published. The Khan Bahadur referred also to the need for improving the qualifications of teachers in the vernaculars. I may say that the department regards it as an important matter, now that the vernaculars have been made the media of examination at the high school stage, that assistant masters should receive proper training in the two vernaculars of the province, and they have accordingly raised the standard of the teachers' departmental examination in the vernaculars. Pandit Bhagwat Narayan Bhargava and Rai Bahadur Babu Vikramajit Singh brought to the notice of the Department the grievance of those students who have passed the Commercial Diploma examination and yet are not regarded as eligible for admission to Government service. That is a matter which is within the province of the General Administration department, but as the Education department regard themselves as the guardians of students we shall examine this grievance and see what we can do in the matter. Pandit Bhagwat Narayan Bhargava referred also to the question of pensions for assistant masters. I have a great deal of sympathy with these masters who put in service under the district boards and are yet unable to have that service counted towards pension. I have for some time been considering measures by which they may get some relief. It is not an easy matter to settle on account of technical financial difficulties, but I am at present collecting information which will enable me to tell the Government precisely what the cost will be if the proposals I have in view are found to be feasible. The honourable member for Garhwal criticized our whole system of intermediate education. All I can say in reply to him is that the Hon'ble Minister has already made it clear that he is not prepared to go back upon the policy of his predecessor in this matter without giving the system a fair trial. My own view is that the Intermediate education system was launched at an unfortunate time at a period of financial stringency when funds were not available to make Intermediate colleges as efficient as we hoped. Now that this period is passing away, we hope that funds will be available in greater measure than hitherto to carry through our policy. I am, therefore, of opinion that we should proceed with it steadily and consistently. But those honourable members who still have doubts about the matter might wait until the report of the Intermediate Education Committee is published, and then they will be able to decide how far the defects of the system are inherent in the system and how far they are due to defective organization or lack of funds. Mr. Brijnandan Prasad Misra pressed the claims of Pilibhit for an Intermediate college. I have considerable interest in Pilibhit. I think it is the one district in these provinces in which I shall leave my name when I leave the country, because Pilibhit has a museum which

[Mr. A. H. Mackenzie.]

is called the Mackenzie Museum. I, therefore, can assure him that any proposal from Pilibhit is likely to receive sympathetic consideration at my hands. But Government have decided not to take any action in regard to the extension of facilities for Intermediate education until they have examined the report of the Intermediate Education Committee. Rai Bahadur Babu Vikramajit Singh is of opinion that there is need for the extension of facilities in intermediate education. The committee which considered the matter was of opinion that, as far as they could judge from statistics, there is at present available, in existing colleges, accommodation for an increase of about 30 per cent. of the present enrolment.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I rise to a point of order. May I know if the report of that committee is out, and will it be placed on the table?

**Mr. A. H. Mackenzie :** The report will soon be published. I am taking the House into my confidence in the matter. I say that this committee was, as a matter of fact, of opinion that the present facilities, generally speaking, were adequate; but I quite agree with the Rai Bahadur that these facilities are unequally distributed, and that a good case can be made out for additional Intermediate colleges. When Government decide to provide these facilities, they will naturally give preference to aided institutions. That has been our policy in the past. Wherever an institution is capable of providing adequate funds, Government prefer to assist such an institution rather than to bear the whole cost themselves. We have in the past, in pursuance of that policy, given substantial assistance to colleges at Khurja, Chandausi, Dehra Dun, and Lucknow, to mention only four places, and I hope that Cawnpore will have its turn. The Rai Bahadur is of opinion that the Board of High School and Intermediate Education is too strict in the matter of recognition. On the other hand, we know that the board has been criticized in other quarters for being too lenient. Personally, I think that the truth is between these two opinions and that the Board's standard is right. As regards physical training, we were taken to task by my honourable friend from Allahabad for not giving effect to the resolution use. I think that it is to our credit that we have lost no time in making arrangements for the selection of scholars to be sent to England for instruction in physical training. We have drawn up in outline a course of physical training for all classes, including, I may say, as suggested by the honourable member for the Allahabad University, a course in military drill. I think these are the main points that have arisen in the discussion.

**Pandit Govind Ballabh Pant :** I wanted to raise a number of points, but there is little time at our disposal and therefore I will address myself to one or two questions. I understand that this head of Intermediate colleges is comprehensive enough and probably includes all the high schools also, so that it relates to secondary education. The heading is inaccurate, and I will treat it as such. I want to know what action Government has taken on the resolution which was moved by me in this House more than two years ago asking them to issue definite instructions for reciting patriotic songs in Government schools and for giving lessons in nationalism, social service, etc. That is the first point



that I want to inquire about. I will not repeat all that I said on that occasion. It was accepted by all that there was a great necessity for such steps being adopted, and I think the Government would have shown some respect to the resolution.

**Mr. A. H. Mackenzie :** Will the honourable member give the House the exact terms of the resolution passed?

**Pandit Govind Ballabh Pant :** I do not recollect the exact terms, but I think that the resolution did lay emphasis on the recitation of national songs and the inculcation of the principles of patriotism, nationalism, social service, etc. That is my impression. If there is anything to the contrary, the Government can point it out.

The other point I wish to inquire about is as to when the report of the Intermediate Education Committee will be published. I understand the report has already been submitted to the Government by the committee. I refer again to the question of grants to the Benares and Aligarh Universities. Yesterday I dealt with the University classes. Today I am referring to secondary institutions, as I call them, i.e., Intermediate colleges and high schools. I showed yesterday that if these institutions have been started outside Benares Government would have incurred an expenditure of about Rs. 1,25,000 for the Intermediate college and high school. I want to know why Government does not consider itself bound to make a contribution towards the upkeep of these institutions.

The third point is a very trivial one. In Naini Tal all offices get an allowance for the winter season, but the staff of the Government High School do not get it. I see no reason why they should not share the generosity, even taking it at that, which has been extended by Government to other official institutions in their summer headquarters.

**Pandit Govind Ballabh Pant :** Mr. Deputy President, may I make a suggestion? Why not we dispose of this item before proceeding further?

**The Deputy President :** I should like to know whether Mr. Habib wishes to speak on this motion or speak on his own motion.

**Mr. Muhammad Habib :** I wish to move my own motion, Sir. I beg to move a (token) reduction of Re. 1 only under sub-head "Secondary education—A—Government Intermediate colleges." The object of my motion is, in the first place to draw the attention of the Government, and especially of the Hon'ble Minister of Education, to one of the crying needs of our country, viz., the question of unemployment among the educated classes. Secondly, I wish to draw his attention to the necessity—the urgent necessity—of working out some scheme of technological education in the primary schools, in the Intermediate colleges, and also in the university classes. It is a matter of great regret that the educational system of our country, especially in these provinces, has gone on in an humdrum fashion. Originally, Sir, if I may comment a little on the history of the present system, this system was devised for a very special purpose, and that purpose it served fairly well. The object of the present system of education, as originally designed, was to train second-rate servants for the service of the East India Company. These people were not meant to be men of education, but they were simply meant to be people who could understand English and could

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take orders in English. They knew something of English, had a little common-sense, but had absolutely no initiative. On the whole, he made a very fine subordinate officer—an absolutely first-rate head clerk. Now, Sir, in the course of the last sixty years the whole outlook of our educational system has changed, education, instead of driving the people into Government service is being considered to-day as one of the great machines for the amelioration of the country. Unfortunately that system still continues, and it continues at a ruinous pace.

The Hon'ble Minister of Education, at the end of a touching peroration touched upon the question of unemployment. I have before me the figures given in the report of the Director of Public Instruction. It says there are at present 5,666 students in our intermediate colleges and 66,556 in our high schools. Now the question occurs, "what are these boys to do in later life?" I think both the Hon'ble Minister of Education and the Hon'ble Director of Public Instruction as well as this Council take a great interest in the education of our young men. The future of these young men should be a very tender trust on our conscience. There has been very recently a great desire for compulsory primary education in this country, and unless our present system of education is reformed and unless those who are educated are provided with some means of livelihood, the whole of our educational system will go down with a tremendous crash. Unfortunately, there has never been an accurate and scientific examination of the educational system in the country. The only examination more scientific, but unfortunately partial, that has yet taken place is the Calcutta University Commission, which was referred to by the previous speakers. That Commission collected an amount of evidence on the subject of technological education and it gave in broad outline its views on the subject. One of the witnesses Mr. P. N. Datt, giving evidence before the Commission, declared: "The great problem of the hour is the problem of bread. It is daily becoming more difficult for our university men to earn a living. India so far as her natural resources are concerned can furnish bread and employment to her university men to a much greater extent than she does at present, but we want the right type of men, more capital and more organization". Another expert, giving evidence before the same Commission, declared in somewhat exaggerated terms that five Indians enthusiastic chelas of a technological expert working his laboratory on terms of intimacy with them will do more good than five thousand B. A., L.L. Bs., for the future of the Calcutta University and for the future of India.

The question before us is a very difficult one, but nonetheless it is a question which the educational authorities of the country must solve at the expense of the continuance of education. The first question is connexion is, what does technological education could submit that if technological education is to be great scientific study; it must not mean a very deep study in metallurgy, mining, advanced engineering and medicine, which require about seven or eight years training. It must be made so practical that an ordinary student can learn such processes of applied science which he can easily use

in the market place or in his workshop, so that he can earn an honest livelihood. Now, the Calcutta University Commission, with regard, no doubt, to the peculiar conditions of the province of Bengal, laid down that the leather industries, the chemical industries, the oil and fat industries, and the textile industries should be the primary concern of the technological study. Now, what I submit is that there is an urgent necessity of having such a scheme worked out in detail for our schools and intermediate colleges as well as the universities. What I would suggest is that, instead of opening separate farms or separate experimental colleges, an attempt should be made to have a number of experts in every college, so that they may be able to train students in the practical process of an industry, with the help of which knowledge a student on taking the Intermediate diploma or the B. A. degree may go to the market place and with a small capital might start an industry, or, failing that, find employment. On this point opinions will differ, because there are many people who wish that educational institutions ought to be kept separate. I will content myself with a very brief illustration, for the time at our disposal is very short. We have all got a poultry farming association, where the fowls, which are imported from England, are kept with a tenderness and delicacy which very few Indians and, in fact, not all Englishmen will be able to bestow on their wives and children. Now, I regret that this farm is kept entirely separate from the educational institutions of the province. Every school ought to have a teacher in poultry.

Sir, the scheme is a difficult one. All that I would request the Hon'ble Minister of Education is to have it investigated by a number of experts, both educational and industrial, and ask them to draw up a scheme by which in every school and intermediate college, according to local economic condition of the district or the division, certain subjects the might be taught as optional alternatives, so that our students might be able to get an honest livelihood after they have finished their education.

**The Hon'ble Rai Rajeshwar Bali :** I wish to deal with the points which have been raised in the discussion after the reply of my friend, the Director of Public Instruction. The first point raised by the leader of the Swarajist party was as to what action has been taken on his resolution which wanted that patriotic songs and lessons in nationalism and social service should be allowed to be introduced in our schools. I have not got the resolution before me at this moment, but so far as I recollect his resolution wanted that we should permit the introduction of such songs, etc., in those schools which wanted to introduce them. I hope he will correct me if I am wrong.

**Pandit Govind Ballabh Pant :** That is not my impression.

**The Hon'ble Rai Rajeshwar Bali :** Wherever we have received a request from any institution we have considered it on its merits, and we are prepared to consider such requests in future when we receive them. Moreover, we sent a copy of the proceedings of that meeting of the Council to the Text-book Committee and whatever books containing such lessons have been recommended to us by the Text-book Committee have been allowed to be used in our schools. The same honourable member also raised the question of hill allowance to the staff of the Government High School at Naini Tal. I may inform him that the

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staff of the Government High School does get a hill allowance. He also wanted to know when the report of the committee which sat to examine the working of the Intermediate Act would be published. We have no doubt received an advance copy, but the report cannot but be regarded as incomplete, in so far as one member has not signed. As soon as he has signed it, it will be published.

**Pandit Govind Ballabh Pant :** If he does not sign it, what will happen ?

**The Hon'ble Rai Rajeshwar Bali :** We will give him some time. If he still does not sign it, we will see what action we should take. Then the honourable member raised the question of aiding the secondary institutions connected with the University of Benares. I am sorry that I missed replying to that point in the day before yesterday's debate. What happened was that we received their application only a month ago, and these applications have been received in the department for the first time. We shall examine them, and we shall try to do our best when we consider the question of putting in new items in the supplementary estimates.

My friend, Mr. Habib, raised the question of unemployment and technical education. I need not assure him that I am myself very anxious and feel greatly concerned over this question ; but the difficulty is that the educational opinion on this point has been that we cannot have technical education along with the general education in schools. They have said that technical and industrial schools are entirely separate from agricultural schools. As a matter of fact, this question has been lately examined by the committee which sat on the Intermediate Education Act, and I learn that they have made certain proposals. As soon as we receive them we shall give effect to such of them as are found practicable. Of course, there are three ways, as I indicated in my speech yesterday, in which we can give a practical bias towards the system of general education, namely by the introduction of manual classes, and insisting on compulsory teaching of science and drawing. Beyond that it has been found difficult to combine industrial and technical education with general education. Moreover, I wish to remind the House that a matter like this is chiefly controlled by the Intermediate Education Board. We cannot introduce in our curriculum anything which they do not wish. No doubt a change is needed, and I will draw their attention to it. I think that these are the points raised by different honourable members.

**Babu Prag Narayan :** We have heard a good deal about the increase of intermediate colleges and schools. I would like to draw the attention of Government to the increase of technological schools rather than intermediate colleges and schools. The reason is plain. We can get the same quantity of castor oil in India for two annas as for 14 annas if imported from England. In the case of linseed oil, we get a tin from England for Rs. 45. In India we can have it for Rs. 5. This difference is due to the double heating process in England. Now I come to the latest development which is vegetable *ghi* or hydrogenated oil. Are Indians quite unfit for producing this, or, is it the result of the present educational system that they cannot produce it ? Education, both in secondary and in intermediate classes, is to make boys good

clerks, vakils and doctors, but not business-men or technological men. The Hon'ble Minister in his reply has said that intermediate schools cannot be mixed with technological schools. I would point out to him that Applied Chemistry can be put in the syllabus as a course, though, it would mean a little more money, laboratory staff, etc. So far as I am aware, there is not a single college in the whole province where Applied Chemistry is taught. Whenever you go to industrial or chemical men, they say:—"You have not learnt the theory of organic or inorganic chemistry. You do not know anything about Applied Chemistry, so we cannot give you any post. In the same predicament I have refused a number of applications from graduates and B. Sc.'s. as they did not know anything about my business. I want to manufacture here what you call hydrogenated oil, which is called imported *ghee*. I will also draw the attention of this House to the fact that a certain gentleman named Mr. Chatterjee, who has been trained in England and in other countries at the expense of the tax-payer, specially in matters of refining and preparing oil, is at present put on some other job, and, if we draw the conclusion that the Government does not want us to progress, are we very much to blame? They simply, for the sake of showing that they are doing something, send out professors or scholars to foreign countries to specialize in a particular branch, and when they come back they are put on totally different jobs. This is only an illustration. I can give you a number of other cases. Then, Sir, there is another matter to which I would draw the attention of the Hon'ble Minister, and it is the poor fate of the model school teachers. A resolution was passed by this House, but they are there.

**Mr. A. H. Mackenzie:** I rise to a point of order. I submit that the question of model schools cannot be discussed under this head. Model school teachers are in schools attached to normal schools.

**The Deputy President:** I draw the attention of the honourable member to the objection taken.

**Babu Prag Narayan:** I will not say anything more.

**Babu Shyam Lal:** As the Director of Public Instruction has been pleased to say that he would recommend cases of students who pass Commercial Diploma examination regarding scholarships, I would bring to his notice that the matter does not end here, and the difference in the treatment of the B. Com. students, which is observed at present is indirectly doing harm towards our commercial classes in intermediate colleges. Students have now come to realize that by joining diploma classes they are in a disadvantageous position; if they pass the C.D. they will not have any encouragement in the shape of scholarships. Moreover, they find that even if they go on and pass the B. Com. examination no further value will be attached to their attainments. Because after B. Com. naturally they would go in for M. A. in economics, and B. Com. students are not given scholarships, nor are they eligible to sit in competitive examinations for public services. This invidious distinction is undermining indirectly the admissions, and, if the matter is not set right, I think it will go against the interests of intermediate colleges. They may not be recognized technically as the intermediate colleges, but colleges which teach B. Com. or C. D. students are no doubt such. It is in everybody's experience that in this world affluence and intelligence go in inverse proportion. Most of our intelligent

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students are drawn from the middle class. This award of scholarships not only is an encouragement, but materially helps them in the prosecution of their studies. I think that it is time when this invidious distinction as regards the award of scholarships to C. D. Diplomates in Agriculture and B. Com. students, and eligibility to appear in public examinations for public services should be removed, and that C. D. Diplomates in Agriculture, Intermediate, B. Com, B. A., B. Sc. students should be treated equally and impartially and should have the same advantages as far as Government service, the award of scholarships and other openings are concerned. The present invidious distinction is extremely undesirable.

**Khan Bahadur Hafiz Hidayat Husain :** The object of my motion was to draw the attention of the House to three points. The first was improvement in the teaching of English, the second was improvement in discipline, and the third grouping of students. I will confine my remarks only to the first. Mr. Mackenzie admits that there is scope for improvement in it. My friend, Rai Bahadur Babu Vikramajit Singh differs, and for his edification I would like to draw his attention to the opinion recorded by three distinguished educationists. The first is the opinion of Dr. G. N. Chakravarti given on November 17, 1926 at the last Lucknow Convocation; the second by Professor Dunn at the Convocation of the Allahabad University on November 27, 1926, and the third by Dr. Cameron, the Vice-Chancellor of the Lucknow University, given in a lecture delivered under the auspices of the Servinda Society as late as February, 1927. All these three educationists are emphatic on the point that there is considerable deterioration in the teaching of English, and consequently the students that are admitted to the universities do not come to the standard required.

**Rai Bahadur Babu Vikramajit Singh :** I did not mean to say that there is no deterioration in the teaching of English language, but I said it is not connected with the opening of intermediate colleges; that was my point.

**Khan Bahadur Hafiz Hidayat Husain :** I think my learned friend has perhaps not read the addresses of these three distinguished educationists. I have got them here and I can show them if he likes. They are unanimous in holding that with the creation of Intermediate Board in these provinces the teaching of English in high schools and intermediate colleges has deteriorated. With regard to the second and third point, I do not think anything is necessary to say, because all the honourable members who have spoken have supported me.

*The motion was, by leave of the Council, withdrawn.*

**Mr. Muhammad Habib :** I have only one thing to say. The Hon'ble Minister for Education has said that the Intermediate Board is governed by the Intermediate Act, and they are of opinion that technological education should not be given in modern intermediate colleges and high schools. I am not at all surprised at the view taken by the intermediate Board, because the Intermediate Board, though I have got many friends on that body, represents the very quintessence of the school-master. Now if you want to find the new idea of grasp, the motive power must come from the Hon'ble Minister, because I can easily assure

him that we teachers, after being in our profession for 20 or 25 years, find that all our imagination is really lost, and in these matters, when the policy of the country is concerned, the motive-power must come from the Hon'ble Minister of Education. He must not allow people whose duty it is to carry out the law to decide matters of policy, and so far as this particular question is concerned, if I am not mistaken, according to the terms of reference, the Intermediate Board is bound by the terms of the Intermediate Act, and therefore it cannot do anything which is not contemplated by the Act. As to the other question that technical education must be kept apart from manual training, or in other words that education of our modern type given in our intermediate schools must be kept apart from industrial education, all that I have to do is to quote a few sentences . . . . .

**The Deputy President :** The honourable member cannot now bring in new matters. He has only to reply to what has been said on behalf of the Government.

**Mr. Muhammad Habib :** All that I have to say is that the Calcutta University Commission after very carefully considering all the evidence on the question, about 73 for and 101 against, came to the opinion that technological education ought to be an integral part of university education in India both in the university and intermediate colleges and schools, and they were of opinion that when the scheme has succeeded in France, England and America, there was no reason why it should not succeed in a country like India.

With these few words I would press for a division.

**The Hon'ble Rai Rajeshwar Bali :** I wanted to point out the difficulties of combining the general education with technological education. I had only pointed out that there were educationists who were opposed to the idea, but I think I have not been able to carry the correct impression to the honourable mover. I said in the end that the Intermediate Board had been examining this question, and that a committee had been appointed to examine this question and as soon as we received their report we shall examine this question further, and if we found that their recommendations amount to something, then of course we shall consider how best the question should be examined further. I did not say that we do not propose to take any action. I said this question is being examined and the Government will consider it as soon as the report is published.

**Mr. Muhammad Habib :** In view of what the Hon'ble Minister has said, I beg leave of the House to withdraw my motion.

*The motion was, by leave of the Council, withdrawn.*

**Babu Sampurnanand :** I beg to move (substantive) reduction by Rs. 1,24,110 of item concerning Secondary education—B—Grants to non-Government secondary schools (page 114 of the detailed estimates) under sub-head "European schools".

At the very outset I would like to point out that I do not wish to import any heat into the discussion by discussing the question on racial grounds. At the same time I cannot conceal the fact that racial considerations will to some extent affect members when giving their decision on this point. For this the Government have

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themselves. In the first place they have made what I certainly believe to be an overgenerous provision for this branch of education; in the second place, as it appears from the budget, European education is a reserved subject, which means that, though by reason of that domestic arrangement—as the President called it—the Hon'ble Minister of Education has to present it to the House, he has apparently no control over it. Personally I wish to discuss this question on grounds of equity. As one who is an educationist by profession, if nothing else, I certainly want all sections of the population to be educated, Europeans among the rest. But I pin my faith upon one of the maxims propounded by that patron-saint of Bolshevism, Karl Marx: "None shall have two loaves of bread unless and until all have had at least one." No section of the population shall have luxuries so long as the necessities of every other section have not been satisfied. It is on this principle that I am placing this motion before the House. We find by a reference to the tables given on page 25A of this report on education that there were 5,907 scholars on the rolls of the European schools out of a total European population of 25,161. This means a percentage of 23·6. My submission is that this must be somewhere near the maximum number of persons of school going age in the European community, so that almost every one of school going age in the European community is at present receiving education in one or other of these schools. That I think is not the case with the other sections. I shall give only one example in order to make my point clear. The total number of Indian women in our province is, according to the last census figure of the Government, 2,15,81,052 in all. The total number of women on the rolls is 76,355, i.e., 1/35 or one in 300, while according to the ratio which obtains in the case of Europeans it should be over 71, i.e., while 71 women out of 300 should be receiving education, only one woman out of 300 is actually receiving education of any kind. But what is the Government provision for the education of these classes, Indian women and European? While the Government is spending something less than 6½ lakhs over the education of Indian women, it wants to spend over eight lakhs on the education of Europeans, i.e., in the case of a class where there is a huge number to be educated just a little over six lakhs is to be spent, while in the case of a class where almost everybody who is in want of education is being educated over eight lakhs is spent. There has been an increase of over Rs. 15,000 over last year's budget. This everybody will allow is very unfair. As a result of this policy of the Government not only are a large number of people who should be receiving education are debarred from receiving education, but the kind of education which this class of people is receiving is not what it should be. I shall not give many examples. I shall give only one. I want honourable members to refer to page 38 of this report. On page 38 we are told something about instruction in vernacular schools for Indian females. It is said frequently made on the curriculum is that it does not include instruction in domestic duties required of girls in their homes. Instruction is particularly desired in needle-work and cookery. The former is a subject included in the curriculum, but competent mistresses are few. Another difficulty is the cost of materials which the pupils or their parents are rarely willing to meet and for



which inadequate allowances are given by the boards. The same difficulties and others would exist in the case of cookery, if it were introduced. In the case of subjects mainly of utilitarian value and expensive in upkeep there seems to be justification in expecting the pupils to provide the materials or their cost or for the levying of special fees."

*Here the Hon'ble the President resumed the Chair.*

That means that where Indian girls are concerned the boards have no money; Government cannot give a large sum of money; people cannot give so much money. Needle-work is therefore not taught. What is done in European schools? We find here:—"Vocational classes in European schools remain the same as reported last year; special classes for training telegraphists are maintained in two schools, while such subjects as shorthand, book-keeping and type-writing are taught in a number of schools and dress-making in girls' schools."

From the money which the Government is lavishly providing for these institutions they can make arrangements for needle-work. They can get mistresses; they can get money and materials, which is what the Indian schools cannot do. In 1926 a token cut of Re. 1 was moved in this connexion in this House by Thakur Mashal Singh. He pointed out that while from 1920-21 to 1926 there had been an increase of only 800 in the number of pupils in these schools, the expense had gone up from four to eight lakhs. We can very well understand why there was not a large increase in the number of pupils. As already pointed out, the percentage of European boys and girls attending schools to the total European population is 23.6. It means that the total number of boys and girls which the European community possesses are receiving education. Therefore there cannot be much increase in the number of pupils, but the expense, as was pointed out by Thakur Mashal Singh, has more than doubled; it has gone up from four to eight lakhs, and it is still rising. A reply was given on behalf of the Government. One of the points in the reply was this that we are spending a huge sum of money on our universities, but the number of European scholars in the universities barely exceeds ten. It is something like ten. It was said on behalf of the Government that because these Europeans did not come forward to share in the benefits of the education given by the universities, therefore we should provide money for them to have education on their own lines. But, as Dr. Ganesh Prasad, the then representative of the Aliahabad University, pointed out, that is not the fault of the universities. Universities have never closed their doors to European students. If these European schools cannot produce even ten students who are fit to take advantage of university education, or who would care to take advantage of university education, the time is certainly come to cry halt and to see whether we cannot stop giving money that they are wasting in this way and whether we should not spend it on the education of other people. Not only this, but it appears that the sort of education that is being given in these schools is harmful for these European boys and girls themselves. Here, too, I have very good authority. Here is the report of the Inspector of European Schools. He says:—"The schools which cater mainly for the children of families in a position to pay substantial fees command confidence and respect, as is shown by the increasing desire of Indians to seek for the admission of their children to them." Now we come to an important point. "The

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reverse, however, is the case with schools to which the poorer classes, who are able to pay little or no fees, send their children. These schools are unable to employ well-qualified teachers and can provide nothing beyond the bare minimum of education. Their pupils too often have no advantages of home or environment; they generally belong to impoverished families domiciled in India for several generations and retaining little affinity with English habits of thought and life. A purely English system of education is alien and unsuitable to them." (These are not my words) "Few of them complete the course for the school certificate and few of those who fall out by the way are fitted for any useful walk in life. This is the most unsatisfactory aspect of European education in India." These words are weighty. It means that you are giving these huge sums of money to these schools to educate those boys and girls for whom a purely English system of education is alien and unsuitable. As this report shows, they are unfit for any useful walk in life. If you had not spent all this money over these schools, then those boys and girls would have joined the ordinary schools and colleges where Indians are being educated now. As a matter of fact they are Indians now because they have got little affinity with English habits of thought and life. They would have been given the ordinary courses of education and all those avenues which are ordinarily open to Indian boys and girls would also have been open to them, or they would have joined the ranks of unskilled labourers, viz., carpenters, blacksmiths, labourers, coolies, etc., etc. As it is, you are not trying to do anything of this kind. When they leave the schools, they will not be fit for any work, but they will have all the arrogance of the Englishman who thinks himself to be the ruler of the land. In this way you are doing to them a very great harm. You are simply adding a dangerous class to the already huge masses of the unemployed. For this reason I say that this expenditure on European education is unfair to the community at large and unfair to the great mass of the European community itself. For this reason I have moved this reduction. The result of my reduction, if carried out, will be that the provision for European education would come to seven lakhs. In 1925-26 the actuals were Rs. 6,63,131. By giving to European schools a sum of seven lakhs I think I am making a fair provision for them. My personal view is that the sum should remain fixed at this figure for a very large number of years. If in the meantime we have more money to spend and if we have provided for all the other needs of our province, we can give larger sums to them.

**Pandit Govind Ballabh Pant:** I move an amendment to the motion moved by my friend, Mr. Sampurnanand, that instead of the sum being reduced by Rs. 1,24,110, it be reduced by Rs. 50,000.

Sir, it is difficult for me to tell you whether I am influenced by racial considerations or not in making this motion. I confess that I am influenced by racial considerations, and to this extent, that had this amount been provided for Indians, the cut that I would have proposed would have been much larger. I have been influenced by racial considerations, inasmuch as, had the figure referred to any class of Indians, my criticism would have been much more vigorous. But because it relates to Europeans, I feel that I have to handle a very delicate subject. I

trust that no fair-minded person will find anything objectionable in what I am going to say.

Sir, as is well known to the honourable members of this House, the constitution under which we live has not considered it safe or prudent to lay the responsibility of conducting and controlling European education on the Indian Minister. It is a reserved subject under the Devolution Rules, and so far as I am aware the Hon'ble the Finance Member is in charge of it. I do not know if in any provincial Government it has been considered proper to make over the administration of this subject to even the Indian Member of the Executive Council. So if there is any racial bias, it is in those who have been actuated by the feeling that European education cannot be fairly looked after by any but a European. So far as I am concerned my grievance is this: Why are you perpetuating this distinction? The European who is born and bred in this country, the European who receives his education here as a lad and as a youth, is as much an Indian as I am. I claim and I expect it from him that he should be as loyal to this country as I am. Why do you maintain this artificial distinction? What does an Indian mean except a man who is born and bred in this country? He may be a Hindu; he may be a Muslim; he may as well be a Christian, or a Zoroastrian. Patriotism means love of country, irrespective of one's creed or race. Why then do you distinguish between a European and an Indian, specially when both have their real home in this land? I was pained and mortified to see on every page of this report when I looked over the statements the words at the top "General table No. 1, Indians and Europeans", "General table No. 2, Indians and Europeans", "General table No. 3, Indians and Europeans," and so on. From the beginning to the end it again and again repeats the same phrase and thus brings to the forefront the notion of racial distinction. So, Sir, if there is anybody to blame for it, it is the constitution, and it is those who want to encourage, to preserve and to strengthen the spirit of haughtiness and arrogance in a European who even after a residence in this country for generations is designedly induced to adopt an attitude of disdain and contempt towards the Indian.

Sir, coming to the figures, I do not know which of the two that are given in this report are correct. At page 25A the total of the European population is given as 25,161; on page 20A the total of the European population is given as 21,403. I do not know which of the two figures is correct, but for the sake of comparison I take the higher figure. Again, according to the details shown on that page the total number of European students comes to about 5,600, while on page 25A it is given as 5,907. I take the higher figure of 6,000. Now let the figures tell their own tale. The total expenditure from the provincial exchequer on European education comes to Rs. 9,55,271. If you refer to page 109 you will find under head "grand total" expenditure divided into reserved and transferred. The reserved expenditure is that which relates to European education, and according to that total the expenditure for European education comes to Rs. 9,55,271. This expenditure is incurred for a population of 25,000 souls. The number of Indians in this province is known to the honourable members of this House. It comes to more than 45 millions. Sir, the expenditure per head of the European population on education comes to Rs. 40 per head, while the corresponding sum for an Indian amounts to six annas. I have to

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into account all possible heads of expenditure on non-European education and have further assumed that the entire expenditure given there is for Indians only. Having made all these concessions, I find that the total expenditure per head of Europeans is a hundred times that incurred for Indians. So the expenditure on account of education for one European is equivalent to one hundred of the Indian community. If we are to reach the stage of education in which we find the European community to-day we will have to spend a hundred times the amount we are spending at present, which is inconceivable and which we can never attain. Sir, I have calculated the figures on the basis of the expenditure incurred over Indian education whether in Government or aided institutions. Last year I find that the Director of Public Instruction said in his reply that most of these European boys studied in the higher classes. I am sorry to say that that was incorrect. More than half of this number studies in the primary class. There are 3,051 in the primary classes, 1,840 in the middle classes, 478 in the high, and only 43 in the intermediate. If this number were distributed in the Government and aided schools and colleges which are open to all classes the total expenditure would not have exceeded Rs. 82,400. So the Government is spending for these European students more than a hundred times the amount which it is spending over a similar number of Indians. Is that an equitable distribution of the funds that are at your disposal, and can you blame us for drawing your attention to these points? I know the reply that the Government will give. They will say we are guided by our ordinary rules of grant-in-aid, and those rules lay down that we can give a grant to the extent of half the maintenance charges. That answer is misleading. If I start a school and put my own son and nephew there and give Rs. 3,000 per month to a teacher, am I entitled to get Rs. 1,500 a month for the two boys I place under that tutor? It is wrong to say that the share of Government's contribution should be determined by the expenditure met from other sources. One can cut his coat only according to the cloth he has. Our resources are limited and the State is responsible for the education of every single child in the province. Above all, the Government should consider what is the reasonable amount of expenditure that the State can incur on account of a student in this province. And having taken that into account, Government should see what is the maximum that it can provide for any particular institution. Sir, you will be interested to see one thing again. The total number of students in the intermediate colleges in the European schools comes to 41. The average attendance comes to 29, and what do you think the State is contributing for that? It is contributing Rs. 1,06,654. So from the provincial exchequer a grant of Rs. 1,06,654 is being made for the education of 29 boys. Is that fair? Is that just? It will perhaps be alleged that the figures are incorrect. But I see the total number of scholars given is 41 and the grant given is Rs. 1,06,654. I ask what is the reason? Why does Government not ask these boys to join intermediate colleges which do not shut their doors against them? Why should such costly classes be maintained? There is absolutely no reason. After all, an Indian is not such an untouchable. There is no restriction whatsoever against these boys joining the common schools. They can join any school maintained by the State. Why should they not do so, and why should such an unpardonably extravagant amount be

spent on this account? There is another very painful feature about it. Not only are such disproportionate amounts spent on European education, but we find there is a rule in the Education Code which lays down that not more than 15 per cent. of students in such schools should be Indians. We should have expected a minimum prescribed for Indians, but here on the contrary we are told that Indians should be excluded and in no case should their number exceed 15 per cent. Then, what is the training imparted to these boys? They are kept at a safe distance from us all, and in these isolated schools they cultivate a spirit of supercilious arrogance towards Indian community. I have patiently watched the results of this education. I had a lively experience recently when I was going from Lucknow to Bareilly and some students of the St. George's College, Mussoorie, were returning to Mussoorie. Unfortunately for me they entered my carriage after we had covered two or three stations from Lucknow. I can only say this that had my size not been as frightful as it happens to be, it would have been difficult for me to cover that distance safely. That is all I need say. I have absolutely no doubt that had they been Indian students of the same class and the same age they would never have behaved like that towards me. Similarly had the Finance Member been sitting in that compartment they would not have behaved like that towards him. Why this difference? What is the reason? I am prepared to let Government spend this money if the Director of Public Instruction and the Finance Member make a definite promise, a solemn promise, on the floor of this House, that they will issue definite instructions to these colleges and schools asking them to impress upon these boys that they are getting one hundred times the amount given to Indians for similar education in Indian schools? Will they impress upon them that it is their first duty to be loyal and patriotic to this land; that they are living lavishly on the poor resources of the indigent poor and needy in this country? Will they try to create in them enthusiasm for this land; will they ask them to be true to the soil from which they are getting unstinted generosity and enviable benefits free from the worries and troubles and privations to which most of the people living in the province are subjected? If that promise is given I may be willing to pay this price for their good wishes. But if we have to starve our people on the one hand, and on the other we are given in return only insults, disdain and contempt, when we are put to injury and in return we are insulted, I for one am not prepared to prepare the way for insult at such a heavy cost. We would be stultifying ourselves if we do it; it would be against our sense of self-respect. If I can stand quiet over it and not press the motion, if I can be persuaded to do that, that will be only on the condition, on the understanding, on the definite assurance that it will be the duty, the solemn duty, of this Government, which is taking away from the mouths of the Indian children what is their legitimate primary due for maintaining those who are still dubbed Europeans, that the boys receiving instruction in those schools will not be allowed to be haughty, will not be allowed to be conceited, will be fully taught the ordinary principles of humility and good behaviour, will learn to cast their lot with us, to share our burdens and to work for the freedom of our common motherland. If all that is done, we may not press for strict justice. I attach as much significance to the spiritual, mental, and moral aspect of the subject as to the pecuni-

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but I may say that as an oriental I attach greater importance to the former than to the latter. But certainly, Sir, we are not any more prepared to suffer not only injury but also insults. If you can save us from the latter, we may perhaps voluntarily undergo the former, but both we cannot possibly accept.

**Mr. A. H. Mackenzie :** At the outset I should like to refer to certain figures. Babu Sampurnanand has pointed out that there is considerable increase in expenditure as shown in the budget. I myself was struck by the large apparent increase in the recurring expenditure, and I therefore took the trouble to examine the figures for actuals in 1925-26. I found that owing to a mistake made in the accounts the figures are wrongly distributed between recurring and non-recurring. In 1925-26 the recurring figure was actually Rs. 7,94,417 and the non-recurring Rs. 75,000. The point I wish to make is that between 1925-26 and 1926-27 there was actually an increase of only Rs. 15,000 odd in recurring expenditure and between 1926-27 and 1927-28 there was another increase of approximately only Rs. 14,000—that is the increase for normal development. Certain figures were also quoted by the honourable member for Naini Tal. He referred to this very large Government grant of one lakh odd for intermediate students. The fact is that in the case of European schools intermediate classes are simply added to existing high schools, so that the expenditure shown against intermediate colleges is for institutions which combine primary, secondary and intermediate classes.

But leaving figures, let us come to broader questions of principle. I am not sorry at all that this motion has been moved, because I think there is a good deal of misunderstanding in regard to the expenditure on European education, and I think if I lay the facts before the House clearly I shall have no difficulty in finding reasonable opinion in the House on my side. The first point that has been made—and it is natural enough to make it—is that the amount per scholar is very high. This does not mean that European schools are getting, compared with Indian schools, grants that are disproportionately high. If you take the schools for other minorities, if you take for instance the schools for girls, regarding those willing to go to school as a minority, you will find that the grant per head is much higher than for ordinary Indian secondary schools. If you take the grant for a special community—the Colvin Taluqdars School—you will find that we give that school a grant of Rs. 30,000.....

**Pandit Govind Ballabh Pant :** Just to justify this expenditure.

**Mr. A. H. Mackenzie :** My point is this. We adopt precisely the same principle, a principle which I shall presently explain. Also in the case of certain arts colleges we give a greater grant per head than in the case of others. The principle which we apply is the same in all cases, whether European schools or Indian schools, viz., that the amount of grant must not exceed the income from sources other than Government grant-in-aid. All European schools are aided institutions. There is not a single Government European school. We apply to them exactly the principle that we apply to the great majority of Indian secondary aided institutions, that is to say, having

satisfied ourselves that in all the circumstances the expenditure is reasonable, we say we shall give our grant up to the maximum of half the expenditure. Wherever we have deviated from that principle we have done so in the case of Indian secondary schools. As members who are interested in girls' secondary education know, we have departed from that principle in the case of girls' secondary schools. Some of them are given as much as 75 per cent. of the total expenditure, and the House knows that we maintain a large number of Indian secondary schools for boys entirely from Government funds, one in every district of the province. But it is difficult to make these comparisons, because the figures for European schools include not only the figures for secondary education but also figures for primary education. The House knows that the Government gives practically the whole of the cost for primary education in the case of Indian children. The figures for European schools include also the whole of the cost for training, and they include, as I have already pointed out, the funds for intermediate classes. If, taking the figures as they are, if you assume that it would be reasonable—it is not quite reasonable—if you assume it is reasonable to compare the grants to European secondary schools with the grants for Indian secondary schools, you will find that we give from public funds towards the support of the European schools less than 40 per cent. of the total expenditure. If you examine the figures for Indian secondary schools you will find that we give over 55 per cent. of the total expenditure. In both cases we exclude altogether charges for boarding houses. In the case of European schools we do not give any grant towards the maintenance of boarding houses. The grant is given entirely for the tuitional purposes. In fact the figures would be even more favourable to European schools than those I have quoted, if one could assess the value of the voluntary services of many teachers in European schools. Many of our teachers in European schools are missionaries. They have come out to work in these schools because they give religious teaching of a particular kind there. They give their services voluntarily. But we take no account of these services in assessing the grant-in-aid. If we did that, the proportion of Government aid to total expenditure would work out at even a smaller figure than the one I have quoted.

The honourable member for Naini Tal says that this type of education is expensive. I grant that. It is admittedly expensive, and it must be so, because the European community is a small community. The classes are also small, and the cost of teachers is accordingly higher than what it would be if they were to teach large classes. The cost of tuition per head of pupil is larger than it is where classes are large. The point I would like to impress upon the House is that while the speakers have drawn attention to the amount of the Government grant, they have ignored the other side of the picture: what is the endeavour of the community itself? If you look at the figures, you will find that last year over four lakhs of rupees were given by the community in the form of contributions in addition to fees. If you will refer to the report for this year, you will find that the community has made a contribution of five lakhs in the form of endowments and subscriptions in addition to fees. Indeed, the great majority of European schools have been built through the self-sacrifice of the community itself. We have of course given non-recurring grants

[Mr. A. H. Mackenzie.]

buildings, but the great bulk of the capital invested in European schools is from funds given, not by the Government but by the community itself. If you take into account the fees also, you will see in a more striking manner the contribution which the community makes. The charge that falls on a parent for tuition per pupil is Rs. 86 a year. The average in the case of an Indian secondary school is Rs. 24 a year. Thus the community is making very considerable contributions to the cost of education. If there is a managing committee of Indians who care to form themselves into a society to run a school on the lines of a European school and ask the Government for a grant, they will be treated on exactly the same principles. My time is short and I can refer to only one more point raised by the honourable member for Naini Tal. It has surprised and pained me. He has referred to some unfortunate experience he had in a Railway carriage. He has suggested that the manners of boys in European schools leave something to be desired. I have taken considerable pains to find out what the attitude of European boys is towards Indians, and the conclusion I have come to is that the relations are exceptionally good. I lived during the first fortnight of this session in a European school. I saw Indian and European boys both in the class rooms and on the playground, and I did not see one example of conduct which could be regarded as showing the slightest racial feeling. I asked the Head Master whether there was any such feeling and he said "No." I know that members of this House have sent their boys to European schools at Naini Tal. I put the same question to them and their reply invariably was that their boys had got on well with the European boys. If the honourable member for Naini Tal will bring to my notice any definite example of a boy of a European school showing even discourtesy to an Indian I shall take the matter up.

Babu Sampurnanand has quoted certain remarks in my report with regard to schools for poor Europeans. These remarks refer to a small percentage of the European school population, I think he has missed the point. The point was that our European schools at present prepare students for the Senior Cambridge examination. The Inspector thinks that in the case of some poor schools it would be better to have courses which would lead directly to industrial or commercial life. It was not his suggestion that the kind of education we are giving is wholly unsuitable, but he thought that we could improve it for a minority of the European school population.

I do not wish to talk the motion out as I should like this House to come to the decision to which its predecessor came viz. that for the charge of partiality to European education there is no foundation.

**The Hon'ble the President:** The discussion on the demand debated must now stop. The original demand was for Rs. 1,72,04,464. Since then the Council has carried a cut of Re. 1. The net demand to be voted amounts to Rs. 1,72,04,463.

*The net demand was put and voted.*

*The Hon'ble the President then adjourned the Council till the following day.*



## APPENDIX A.

(See page 903 *supra*.)*Statement referred to in the answer to starred question No. 4 for March 28, 1927.*

Serial No.	Name of department concerned.	Date on which passed.	Subject.	Action taken or proposed to be taken.
1	Education	January 24, 1927	Making physical education and use of firearms in recognized institutions compulsory.	Government are taking action to make physical training compulsory in all recognized institutions and to draw up a graded syllabus of instruction in physical training for all classes.
2	Excise	January 25, 1927	Local option and total abstinence from liquor.	A Bill embodying the principle of local option will be circulated for public opinion at an early date.
3	Medical	Ditto	Construction of female wards for Indians in hospitals and dispensaries.	Information is being collected.
4	Education	Ditto	Amendment of rule 10 (3), District Board Education Rules with notification No. 383/XV—804, dated June 6, 1925.	Government are taking necessary action.

*Statement referred to in the answer to starred question No. 4 for March 28, 1927—(conold.).*

Serial No.	Name of department concerned.	Date on which passed.	Subject.	Action taken or proposed to be taken.
5	Education ...	January 26, 1927	Rescinding Education Department notification No. A-428/XV-519—1921, dated December 22, 1927.	Government are unable to make any statement at present as the matter is the subject of correspondence with the Government of India.
6	Agriculture ...	January 26, 1927	Increasing <i>kans</i> area in Bundelkhand.	Government are preparing a scheme of experiments in Bundelkhand with the object of eradicating <i>kans</i> .
7	Appointment ...	January 27, 1927	Abolition of post of Commissioners.	No action is contemplated until the effect of the new Tenancy Act on Commissioners' appellate work, is known.
8	Education ...	January 27, 1927	Grant for Benares Hindu University.	No action has been taken.
9	Local Self-Government, Education Co-operative, Industries and Agriculture.	January 28, 1927	Improvement of rural areas ...	Government have only recently received the proceedings of the debate and are examining the various suggestions made in the course of the discussion.

## APPENDIX B.

(See page 903 *supra*.)STATEMENT REFERRED TO IN ANSWER TO STARRED QUESTION  
No. 5. FOR MARCH 28, 1927.*United Provinces Legislative Council.*

Name of constituency.	Total number of voters on the electoral roll.	Total number of votes polled.	Percentage of votes polled to total number of electors.
<i>Non-Muhammadan, Urban.</i>			
Agra city ... ..	9,578	4,691	48·9
Cawnpore „ ... ..	23,424	11,754	50
Allahabad „ ... ..	11,026	4,995	45·3
Lucknow „ ... ..	21,729	9,153	42·1
Benares „ ... ..	10,968	4,315	39·3
Bareilly „ ... ..	6,403	3,230	50·4
Meerut-cum-Aligarh ... ..	8,661	Uncontested election.	
Moradabad-cum-Shahjahanpur ... ..	7,478	3,172	42·4
<i>Non-Muhammadan, Rural.</i>			
Dehra Dun district ... ..	6,705	4,221	62·9
Saharanpur „ ... ..	31,635	13,888	43·8
Muzaffarnagar „ ... ..	32,911	17,366	52·7
Meerut „ (North) ... ..	28,903	8,742	30·2
Meerut „ (South) ... ..	25,488	11,857	46·5
Bulandshahr „ (East) ... ..	26,452	13,134	49·6
Bulandshahr „ (West) ... ..	22,877	10,162	64·4
Aligarh „ (East) ... ..	23,942	13,594	56·8
Aligarh „ (West) ... ..	24,396	11,129	45·6

[MAR. 28, 1927.]

Name of constituency.				Total number of voters on the electoral roll.	Total number of votes polled.	Percentage of votes polled to total number of electors.
<i>Non-Muhammadan, Rural—(contd.).</i>						
Muttra	district	...	...	29,676	10,161	34.2
Agra	"	...	...	29,934	16,967	56.6
Mainpuri	"	...	...	26,271	Uncontested election.	
Etah	"	...	...	25,419	16,189	63.6
Bareilly	"	...	...	22,270	16,657	74.7
Bijnor	"	...	...	28,738	14,960	52
Budaun	"	...	...	23,650	12,254	51.8
Moradabad	"	...	...	36,002	23,614	65.5
Shahjahanpur	"	...	...	15,080	8,004	53
Pilibhit	"	...	...	10,295	7,562	73.4
Jhansi	"	...	...	15,882	7,344	47.7
Jalaun	"	...	...	17,547	9,327	53.4
Hamirpur	"	...	...	14,858	5,715	38.4
Banda	"	...	...	12,377	6,126	49.4
Farrukhabad	"	...	...	24,252	17,037	70.2
Etawah	"	...	...	29,257	14,288	48.8
Cawnpore	"	...	...	27,868	14,013	50
Fatehpur	"	...	...	18,051	Uncontested election.	
Allahabad	"	...	...	22,724	11,627	51.1
Benares	"	...	...	12,416	8,791	70.7
Mirzapur	"	...	...	10,913	7,367	67.5
Jaunpur	"	...	...	20,787	14,982	72.3

Name of constituency.				Total number of voters, on the electoral roll.	Total number of votes polled.	Percentage of votes polled to total number of electors.
<i>Non-Muhammadian, Rural—(contd.).</i>						
Ghazipur	district	...	...	12,893	5,707	44.2
Ballia	,	...	...	14,067	8,509	60.5
Gorakhpur	,	(West)	...	11,749	7,362	62.6
Gorakhpur	,	(East)	...	12,379	Uncontested election.	
Basti	,	...	...	22,874	Ditto.	
Azamgarh	,	...	...	18,491	9,113	49.2
Naini Tal	,	...	...	15,677	6,744	43
Almora	,	...	...	114,112	14,425	12.6
Garhwal	,	...	...	46,038	14,039	30.4
Lucknow	,	...	...	17,768	9,406	52.9
Unao	,	...	...	20,269	12,412	61.2
Rae Bareilly	,	...	...	20,482	13,745	67.1
Sitapur	,	...	...	43,213	18,463	42.7
Hardoi	,	...	...	30,843	18,195	58.9
Kheri	,	...	...	19,317	7,210	37.3
Fyzabad	,	...	...	19,310	Uncontested election.	
Gonda	,	...	...	29,245	13,844	47.3
Bahraich	,	...	...	25,837	16,424	63.5
Sultanpur	,	...	...	17,369	12,847	73.9
Partabgarh	,	...	...	14,047	7,875	56
Bara Banki		...	...	37,431	29,359	78.4

Name of constituency.	Total number of voters on the electoral roll.	Total number of votes polled.	Percentage of votes polled to total number of electors.
<i>Muhammadan, Urban.</i>			
Allahabad-cum-Benares ...	9,861	4,901	49.7
Lucknow-cum-Cawnpore ...	20,781	6,946	33.4
Agra and Meerut-cum-Aligarh ...	10,142	5,393	53
Barcilly and Shahjahanpur-cum-Moradabad.	10,872	4,480	41.2
<i>Muhammadan, Rural.</i>			
Dehra Dun district ...	6,707	4,512	67.2
Saharanpur „ ...	10,624	6,345	59.7
Meerut „ ...	10,755	7,694	71.5
Muzaffarnagar „ ...	11,918	8,462	71
Bijnor „ ...	17,426	7,726	67.6
Bulandshahr „ ...	9,051	6,410	70.8
Aligarh, Muttra and Agra districts	9,051	Uncontested election.	
Etawah, Cawnpore and Fatehpur districts.	4,996	Ditto.	
Jhansi division ...	5,358	3,278	61.17
Allahabad, Jaunpur and Mirzapur districts.	7,131	Uncontested election.	
Benares, Ghazipur, Ballia and Azamgarh districts.	7,889	4,516	57.2
Gorakhpur district ...	2,285	Uncontested election.	
Basti „ ...	5,148	3,872	75.1
Moradabad „ (North) ...	8,413	5,921	70.3
Moradabad „ (South) ...	9,276	6,026	66

Name of constituency.	Total number of voters on the electoral roll.	Total number of votes polled.	Percentage of votes polled to total number of electors.
<i>Muhammadan, Rural—(contd.).</i>			
Budaun district ...	4,873	Uncontested election	
Shahjahanpur ,, ...	2,043	1,468	71.8
Bareilly ,, ...	5,247	4,256	81.1
Mainpuri, Etah and Farrukhabad districts.	3,514	Uncontested election.	
Kumaun division-cum-Pilibhit ...	5,205	3,137	60.2
Gonda and Bahraich districts ...	11,643	6,085	52.2
Kheri and Sitapur districts ..	4,249	Uncontested election.	
Hardoi, Lucknow and Unao districts	6,798	4,666	68.6
Fyzabad and Bera Banki districts ...	7,832	2,655	33.9
Sultanpur, Partabgarh and Rao Bareli districts.	7,684	5,306	69
<i>European.</i>			
United Provinces, European ...	4,682	667	14.2
<i>Landholders.</i>			
Agra Landholders (North) ..	380	Uncontested election.	
Agra ,, (South) ...	336	195	58.0
Taluqdars ... ..	373	199	53.0
<i>Chambers of Commerce.</i>			
Upper India Chamber of Commerce	67	Uncontested election.	
United Provinces Chamber of Commerce.	103	Ditto.	
<i>University.</i>			
Allahabad University ...	4,141	2,972	71.7

## APPENDIX C.

(See page 903 *supra*.)

*Statement referred to in answer to starred question No. 6 for  
March 28, 1927.*

Nature and name of constituency.	Number of females on electoral roll.	Number of female votes polled.
<i>Non-Muhammadan, Urban.</i>		
Agra city ... ..	78	3
Cawnpore city ... ..	932	66
Allahabad city .. ...	435	...
Lucknow city ... ..	252	30
Benares city ... ..	344	110
Bareilly city ... ..	359	59
Meerut-cum-Aligarh ... ..	294	Uncontested election.
<i>Non-Muhammadan, Rural.</i>		
Moradahad-cum-Shahjahanpur ... ..	263	5
Dehra Dun district ... ..	79	31
Saharanpur district ... ..	842	2
Muzaffarnagar district ... ..	778	21
Meerut district (North) ... ..	655	5
Meerut district (South) ... ..	474	17
Bulandshahr district (East) ... ..	1,633	46
Bulandshahr district (West) ... ..	563	44
Aligarh district (East) ... ..	446	77
Aligarh district (West) ... ..	518	68
Muttra district ... ..	583	18
Agra district ... ..	574	46



Nature and name of constituency.	Number of females on electoral roll.	Number of female votes polled.
<i>Non-Muhammadan, Rural—(contd.).</i>		
Mainpuri district ... ..	805	Uncontested election.
Etah district ... ..	611	87
Bareilly district ... ..	620	35
Bijnor district ... ..	838	44
Budaun district ... ..	617	47
Moradabad district ... ..	360	40
Shahjahanpur district ... ..	504	59
Pilibhit district ... ..	329	53
Jhansi district ... ..	624	52
Jalaun district ... ..	936	122
Hamirpur district ... ..	989	96
Banda district ... ..	490	62
Farrukhabad district ... ..	435	51
Etawah district ... ..	861	26
Cawnpore district ... ..	1,238	3
Fatehpur district ... ..	938	Uncontested election.
Allahabad district ... ..	1,174	Nil.
Benares district ... ..	325	19
Mirzapur district ... ..	529	111
Jaunpur district ... ..	511	118
Ghazipur district ... ..	279	2
Ballia district ... ..	313	29

Nature and name of constituency.	Number of females on electoral roll.	Number of female votes polled.
<i>Non-Muhammadan, rural - (concl'd.).</i>		
Gorakhpur district (West) ... ..	350	29
Gorakhpur district (East) ... ..	259	Uncontested election.
Basti district ... ..	705	Ditto.
Azamgarh district ... ..	663	8
Naini Tal district ... ..	975	35
Almora district ... ..	3,289	7
Garhwal district ... ..	1,238	1
Lucknow district ... ..	485	86
Unao district ... ..	755	43
Rae Bareli district ... ..	1,000	319
Sitapur district ... ..	1,307	119
Hardoi district ... ..	903	96
Kheri district ... ..	340	32
Fyzabad district ... ..	806	Uncontested election.
Gonda district ... ..	1,050	99
Bahraich district ... ..	1,202	515
Sultanpur district ... ..	696	296
Partabgarh district ... ..	635	120
Bara Banki district ... ..	1,818	431
<i>Muhammadan urban.</i>		
Allahabad-cum-Benares ... ..	307	24
Lucknow-cum-Cawnpore ... ..	890	83

Nature and name of constituency.	Number of female on electoral roll.	Number of female votes polled.
<i>Muhammadan urban—(concl'd.).</i>		
Agra and Meerut-cum-Aligarh ...	300	88
Bareilly and Shahjahanpur-cum-Moradabad	418	18
<i>Muhammadan rural.</i>		
Dehra Dun district ...	52	4
Saharanpur district ...	256	...
Meerut district ...	228	5
Muzaffarnagar district ...	399	2
Bijnor district ...	166	10
Bulandshahr district ...	324	20
Aligarh, Muttra and Agra districts ...	135	Uncontested election.
Etawah, Cawnpore and Fatehpur districts	351	Uncontested election.
Jhansi division ...	195	24
Allahabad, Jaunpur and Mirzapur districts	471	Uncontested election.
Benares, Ghazipur, Ballia and Azamgarh districts.	299	17
Gorakhpur district ...	69	Uncontested election.
Basti district ...	137	31
North Moradabad district ...	136	8
South Moradabad district ...	176	12
Budaun district ...	266	Uncontested election

Nature and name of constituency.	Number of females on electoral roll.	Number of female votes polled.
<i>Muhammadan Rural—(concl'd.).</i>		
Shahjahanpur district ... ..	79	
Bareilly district ... ..	145	
Mainpuri, Etah and Farrukhabad districts...	87	Uncontested election.
Kumaun division-cum-Pilibhit ... ..	127	9
Gonda and Bahraich districts ... ..	361	60
Kheri and Sitapur districts ... ..	120	Uncontested election.
Hardoi, Lucknow and Unao districts ... ..	329	38
Fyzabad and Bara Banki districts ... ..	421	15
Sultanpur, Partabgarh and Rao Bareilly districts.	318	83
United Provinces European ... ..	553	74
Agra landholders (North) ... ..	37	Uncontested election.
Agra landholders (South) ... ..	34	...
Taluqdars ... ..	59	...
Upper India Chamber of Commerce ... ..	...	Uncontested election.
United Provinces Chamber of Commerce ... ..	...	Uncontested election.
University ... ..	9	5

# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Tuesday, March 29, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT.

(99).

The Hon'ble Sir Sam O'Donnell.	Babu Kavendra Narayan Singh.
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.	Pandit Shri Sadayatan Pande.
The Hon'ble Rai Rajeshwar Bali.	Thakur Shiya Shankar Singh.
The Hon'ble Thakur Rajendra Singh.	Rai Bahadur Thakur Hanuman Singh.
The Hon'ble Nawab Muhammad Yusuf.	Rai Bahadur Babu Abhainandan Prasad.
Mr. G. B. Lambert.	Raja Inderjit Pratap Bahadur Sahi.
Mr. E. A. H. Blunt.	Bhaya Hanumat Prasad Singh.
Kunwar Jagdish Prasad.	Babu Ganga Prasad Roy.
Sir Ivo Elliott.	Pandit Govind Ballabh Pant.
Mr. P. H. Tillard.	Pandit Badri Dutt Pande.
Mr. H. A. Lane.	Mr. Mukandi Lal
Mr. R. L. Yorke.	Sirdar Nihal Singh.
Mr. A. W. Pim.	Rai Bahadur Babu Mohan Lal.
Mr. A. W. McNair.	Rai Bahadur Pandit Sankata Prasad Bajpai.
Khan Bahadur Chaudhri Wajid Husain.	Kunwar Surendra Pratap Sahi.
Mr. E. L. Norton.	Mr. C. Y. Chintamani.
Mr. F. F. R. Channor.	Mr. Zahur Ahmad.
Mr. R. J. S. Dodd.	Haji Abdul Qayum.
Lieut.-Col. R. F. Baird.	Mr. Muhammad Abdul Bari.
Mr. A. H. Mackenzie.	Maulvi Zahur-ud-din.
Mr. B. D'O. Darley.	Saiyid Tufail Ahmad.
Mirza Muhammad Sajjad Ali Khan.	Khan Bahadur Shaikh Zia-ul-Haq.
Khan Bahadur Mr. Masud-ul-Hasan.	Nawabzada Muhammad Liaqat Ali Khan.
Mr. E. Ahmad Shah.	Hafiz Muhammad Ibrahim.
Babu Ram Charana.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.
Mr. A. P. Dube.	Khan Bahadur Hafiz Hidayat Husain.
Pandit Rahas Bihari Tiwari.	Maulvi Saiyid Habib-ullah.
Babu Sampurnanand.	Dr. Shafa'at Ahmad Khan.
Babu Bhagwati Sahai Bedar.	Khan Bahadur Saiyid Jafer Husain.
Thakur Manjit Singh Rathor.	Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.
Rai Sahib Lala Jagdish Prasad.	Khan Bahadur Maulvi Muhammad Fazlur-Rahman Khan.
Chaudhri Vijai Pal Singh.	Khan Bahadur Hakim Mahbub Ali Khan.
Chaudhri Dharamvir Singh.	Khan Bahadur Maulvi Fasih-ud-din.
Thakur Manak Singh.	Khwaja Khalil Ahmad Shah.
Thakur Pratap Bhan Singh.	Shaikh Muhammad Habib-ullah.
Thakur Bikram Singh.	Raja Saiyid Ahmad Ali Khan Alvi.
Thakur Hukum Singh.	Chaudhri Niamat-ullah.
Raja Kushal Pal Singh.	Mr. Muhammad Habib.
Rao Krishna Pal Singh.	Mr. St. George H. S. Jackson.
Lieut. Raja Kali Charan Misra.	Rai Bahadur Lala Bihari Lal.
Lala Nemi Saran.	Rai Bahadur Lala Mathura Prasad Mehrotra.
Chaudhri Badan Singh.	Raja Shambhu Dayal.
Thakur Sadho Singh.	Kunwar Bisheshwar Dayal Seth.
Pandit Brijnandan Prasad Misra.	Raja Jagannath Bakhsh Singh.
Pandit Bhagwat Narayan Bhargava.	Mr. E. M. Souter.
Rao Udaibir Singh.	Mr. J. P. Srivastava.
Babu Kishori Prasad.	Pandit Iqbal Narayan Gurtu.
Lieut. Raja Durga Narayan Singh.	
Pandit Deota Prasad.	
Babu Shyam Lal.	
Babu Uma Shankar.	
Pandit Venkatesh Narayan Tiwari.	

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

ASSISTANT REGISTRAR OF THE HIGH COURT, ALLAHABAD.

\*1. Pandit Govind Ballabh Pant : (a) Is the post of the Assistant Registrar of the Allahabad High Court likely to fall vacant in the near future ?

(b) Is it the intention of the High Court that an Indian should be appointed to fill the vacancy ?

(c) Has the Government brought to the notice of the High Court the oft repeated wish of this Council that an Indian should fill this post ? If not, does the Government intend to do so ?

(d) Since when has an Indian not been appointed as the Registrar or the Assistant Registrar of the High Court ? When did an Indian last serve as such, and for how long ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a), (b) and (c) The High Court has granted an extension to the present occupant of the post.

(d) No Indian has held the post of Registrar of the High Court. An Indian last acted as Assistant Registrar during 1919 for six months, nine days.

Pandit Bhagwat Narayan Bhargava : Is the post of Registrar reserved for a non-Indian ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think that the post of Registrar is reserved for the Indian Civil Service.

Mr. A. P. Dube : Is the Government aware of any public or other necessity which rendered the grant of an extension necessary ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I think it is a matter for the High Court to decide and it is entirely within the discretion of the High Court and the Chief Justice to give an extension to anybody they like.

Mr. A. P. Dube : Was the concurrence of the Local Government obtained before an extension was granted, and was it necessary or not ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : No, it was not necessary.

Pandit Brijnandan Prasad Misra : Has any Indian Civilian ever filled the post of Registrar ?

The Hon'ble the President : This does not arise.

Pandit Brijnandan Prasad Misra : For how long has the extension been given ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I believe it is for a year, but I am not quite sure.

Pandit Brijnandan Prasad Misra : Is the Government aware of the reason why an extension has been granted ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I have already said that the grant of an extension is within the discretion of the High Court.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Will the Government consider the advisability of appointing an Indian after the period of extension given to the present incumbent has expired ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The vacancy is a long way off, and it is impossible to say anything on the point at this stage. Moreover, the appointment does not rest with the Government.

**Mr. A. P. Dube :** With reference to (d), may I inquire if the work of the Indian Assistant Registrar who was appointed for about six months was satisfactory ?

**The Hon'ble the President :** This does not arise.

#### CONDITION OF ROADS IN AJODHYA.

**\*2. Pandit Badri Dutt Pande :** (a) What is the number of pilgrims that yearly go to Ajodhya ?

(b) Does the Government know that the condition of roads in Ajodhya is far from satisfactory ?

(c) Will the Government see that the roads are kept in good order ?

**The Hon'ble Nawab Muhammad Yusuf :** Inquiry is being made. A reply will be given at a later date.

#### NUMBER OF CASES AND APPEALS OF ALMORA DISTRICT.

**\*3. Pandit Badri Dutt Pande :** Will the Government be pleased to furnish the following information :—

(a) total number of appeals allowed and dismissed by the Deputy Commissioner of Almora during the last three years ;

(b) the total number of cases in all the courts of Almora district in which more than five hearings were made ;

(c) the longest distance people have to come for court work in all the four sub-divisions of the Almora district ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** A statement is laid on the table.

(See Appendix A, page 1052.)

#### SLAUGHTER-HOUSE AT PANWARI, HAMIRPUR.

**\*4. Thakur Har Prasad Singh :** (a) Is Panwari a notified or town area ?

(b) If it is not so, which local authority is entrusted with the control of the slaughter-house at Panwari in Hamirpur district ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) It is neither a notified nor a town area.

(b) The slaughter-house is controlled and maintained by the district board, Hamirpur.

#### VEGETABLE GARDEN OF THE TAHSILDAR OF RATH, HAMIRPUR.

**\*5. Thakur Har Prasad Singh :** Will the Government be pleased to give the following information :—

(a) Has the tahsildar of Rath made any vegetable garden

- (b) If so, when it was started?
- (c) On whose land has it been started?
- (d) Is it a fact that *kachhis* of Rath worked as labourers in the said garden?
- (e) Is it a fact that carts, ploughs and *charas* also were taken from the *kachhis* of Rath for being used in this garden?
- (f) Is it a fact that some *kachhis* lodged a written complaint before the District Magistrate to the effect that they are being paid at the rate of two annas per day?
- (g) Will the Government be pleased to lay on the table a copy of the order passed by the District Magistrate, Hamirpur, on the complaint referred to above?
- (h) Is it a fact that some 50 *kachhis* of Rath approached the District Magistrate while he was camping at Rath with any written complaints against the tahsildar? If so, was their complaint taken on that day?
- (i) Were these *kachhis* sent for by the tahsildar of Rath after the District Magistrate left Rath, and were their thumb-impressions taken on any paper? If so, what are the contents of that paper?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes.

(b) In August, 1926.

(c) The land is hired. Lala Nathu Ram, Vaish, is the zamindar; Mahngu, the tenant.

(d) In the beginning some *kachhis* worked on the garden under a permanent *mali*, as they alone do this sort of work for the zamindars and the public.

(e) No. No carts or ploughs were taken from them. They worked casually with the *charas* for gardening and were paid full local rates.

(f) Two men applied to the District Magistrate that the daily rate for casual labour of two annas should be enhanced. Full inquiry was made and all the chaudhris of the *kachhis*, including applicants, declared that the rate of two annas per day was fair, the local rate as paid by the zamindar and others being only one anna to one anna and six pies a day. The chaudhris and other *kachhis* disowned the complaint and it was dismissed as groundless.

(g) A copy of the order is laid on the table.

(h) No.

(i) A few men, six or so, tried to stop the district magistrate's car two miles out of Rath by suddenly blocking the road. They were asked to come to court, but never came. As this was a very foolish and risky thing to do, the tahsildar was instructed to find out who the men were. He examined, among others, *kachhis* also and took down their statements, to which they affixed their thumb-marks. They say that they wished to interview the District Magistrate.

(See Appendix B, page 1053.)



**Pandit Brijnandan Prasad Misra :** May I inquire with reference to (c) from whom this land was taken on hire ?

**The Hon'ble Sir Sam O'Donnell :** I do not know whether it was taken on hire from the landlord or the tenant.

**Pandit Brijnandan Prasad Misra :** Was any lease executed ? If so, what were the terms of the lease ?

**The Hon'ble Sir Sam O'Donnell :** I do not know this either.

**Pandit Brijnandan Prasad Misra :** Was any rent fixed for payment ?

**The Hon'ble Sir Sam O'Donnell :** I think it must have been.

**Pandit Brijnandan Prasad Misra :** Does the Government know the amount of rent paid ?

**The Hon'ble Sir Sam O'Donnell :** No, I do not know.

**Pandit Brijnandan Prasad Misra :** Will the Government inquire ?

**The Hon'ble Sir Sam O'Donnell :** No, unless it is found that public purpose will be served by finding it out.

**Pandit Brijnandan Prasad Misra :** Does the Government contemplate to re-grade the pay of the tahsildar in view of the cheap living in the locality ?

**The Hon'ble the President :** This question does not arise.

#### CHAIRMAN, MUNICIPAL BOARD, NAINI TAL.

\*6. **Mr. C. Y. Chintamani :** (a) Referring to his answer to starred question No. 14 at this Council's meeting of January 27, is the Hon'ble Minister of Local Self-Government now in a position to say when "the right of electing its own chairman" will "be conceded to the municipality of Naini Tal ?"

(b) If the answer be in the negative, will the Hon'ble Minister be pleased to expedite a decision ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) No.

(b) No.

**Thakur Manjit Singh Rathor :** Will the Hon'ble Minister state whether he is prepared to expedite a decision in the matter of giving to Naini Tal the right of electing its own chairman ?

**The Hon'ble Nawab Muhammad Yusuf :** I will refer the honourable member to my former replies to questions.

**Pandit Govind Ballabh Pant :** Is the Naini Tal municipality the only municipality which does not elect its own chairman ?

**The Hon'ble Nawab Muhammad Yusuf :** There are three boards whose members themselves wanted to have official chairman.

**Pandit Govind Ballabh Pant :** Is this the only municipality which has not got the right to elect its chairman ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Raja Jagannath Bakhsh Singh :** To which former reply does the Hon'ble Minister refer ?

**The Hon'ble the President :** It is in the question itself. The reply was made in January, 1927.

**Thakur Manjit Singh Rathor :** Will the Hon'ble Minister state why the Government are not expediting a decision ?

**The Hon'ble Nawab Muhammad Yusuf :** I have already said that I have replied to this question on a former occasion.

**Pandit Badri Dutt Pande :** Will the Government re-consider the whole question ?

**The Hon'ble Nawab Muhammad Yusuf :** The question does not arise.

**Pandit Govind Ballabh Pant :** Has the Government arrived at any decision yet ?

**The Hon'ble Nawab Muhammad Yusuf :** There is no decision now to arrive at.

**Raja Jagannath Bakhsh Singh :** On a point of order. Is it correct for the Hon'ble Minister to say that the question does not arise ?

**The Hon'ble the President :** Certainly the Minister can say that. I have said so so many times.

**Pandit Govind Ballabh Pant :** Is the Government aware of the fact that it was the desire of the majority of the elected members of the board and of the majority of the board that the chairman should be elected ?

**The Hon'ble Nawab Muhammad Yusuf :** Yes.

**Pandit Govind Ballabh Pant :** Is the Hon'ble Minister aware that a deputation consisting of Hindus and Muhammadans waited on his predecessor to make a request to that effect ?

**The Hon'ble Nawab Muhammad Yusuf :** Probably so, I do not know.

**Pandit Govind Ballabh Pant :** Is the Hon'ble Minister aware that there is a strong feeling of the residents of the place to have an elected chairman ?

**The Hon'ble Nawab Muhammad Yusuf :** I am not aware.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Will the Hon'ble Minister be pleased to give reasons for not expediting the decision ?

**The Hon'ble the President :** That question has been answered more than once today.

**Pandit Iqbal Narayan Gurtu :** To cut short further discussion, may I ask whether the Hon'ble Minister is absolutely unwilling to consider the question ?

**The Hon'ble Nawab Muhammad Yusuf :** I have already said that the question does not arise.

**Pandit Iqbal Narayan Gurtu :** I want to know exactly what is the position of the Government in regard to this matter ? Is it absolutely unwilling to consider the matter ?

**The Hon'ble the President :** The position of the Government is what it is.

**Pandit Govind Ballabh Pant :** Has the Government made up its mind not to allow the municipal board of Naini Tal to elect its chairman ?

**The Hon'ble Nawab Muhammad Yusuf :** Nothing has been decided yet.

**Pandit Govind Ballabh Pant :** What was exactly in the mind of the Hon'ble Minister when he considered this question "Whether the Hon'ble Minister will be pleased to expedite a decision"?

**The Hon'ble Nawab Muhammad Yusuf :** I only said that the Government was not in a position to do so.

**Pandit Govind Ballabh Pant :** Does the Hon'ble Minister mean to say that he is not in a position to expedite the decision?

**The Hon'ble Nawab Muhammad Yusuf :** The position is exactly the same as that when the answer was given. I think the honourable member for Partabgarh may have misunderstood me. He said that the Government has not apparently arrived at any decision, but the decision was there, though no fresh decision was arrived at.

**Pandit Govind Ballabh Pant :** Will the Hon'ble Minister pardon me if I say that even now we are under the impression that the matter is still under consideration?

**The Hon'ble Nawab Muhammad Yusuf :** No.

**Pandit Govind Ballabh Pant :** What is the position of the Government?

**The Hon'ble Nawab Muhammad Yusuf :** The matter stands exactly on the same stage as it was when I replied to the question, and my answer was that the Government was not in a position to say when it would, and today I am not in a position to say when it would.

**Pandit Govind Ballabh Pant :** May I know how long the matter is going to stand in that way? Can it not be settled right away?

**The Hon'ble Nawab Muhammad Yusuf :** I cannot say.

**The Hon'ble the President :** I think the matter will be settled at Naini Tal.

#### GARHIA PHATAK TOWN AREA, JHANSI.

\*7. **Mr. C. Y. Chintamani :** Referring to his answers to starred question Nos. 33 to 38 and to the supplementary questions that arose therefrom at this Council's meeting of January 27, has the Hon'ble Minister of Local Self-Government since reconsidered the Government's decision and will he be pleased to state if the Commissioner's opinion of 1924 and the Jhansi municipal board's wishes will be allowed to prevail?

**The Hon'ble Nawab Muhammad Yusuf :** The honourable member is referred to the debate on Pandit Bhagwat Narayan Bhargava's motion of March 11, when the Government explained its position fully.

#### MUAFI LAND IN AMROHA, MORADABAD.

\*8. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay a statement on the table showing the amount of *muafi* land in Amroha, district Moradabad?

**The Hon'ble Sir Sam O'Donnell :** 1,020 acres.

\*9. **Dr. Shafa'at Ahmad Khan :** On what conditions is the land held, and what is the amount of revenue paid by the holders of this land ?

**The Hon'ble Sir Sam O'Donnell :** (1) For rendering services.

(2) For maintaining the trees of the grove.

(3) For charitable purposes.

The amount of revenue paid by zamindars for the land in question is Rs. 836.

\*10. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state how much *muafi* land in Amroha has changed hands during the last twenty years ?

**The Hon'ble Sir Sam O'Donnell :** In 1317 *Fasli* the area of rent free land was 653 acres, while in the year 1333 *Fasli* it was 1,020 acres. No record before 1317 *Fasli* is forthcoming.

#### SUITS FOR COMMUTATION OF *batai* IN ROHILKHAND.

\*11. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing the number of suits filed by the tenants in every district in Rohilkhand after the enforcement of the Agra Tenancy Act for commutation of *batai* into a fixed money rent ?

\*12. Will the Government be pleased to state the number of suits filed by the tenants in each of the six tahsils of the Moradabad district ?

**The Hon'ble Sir Sam O'Donnell :** Statements giving the information required are laid on the honourable member's table.

(See Appendix C, page 1053.)

#### UNITED PROVINCES DISTRICT AND MUNICIPAL BOARDS AMENDMENT ACTS.

\*13. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to lay on the table a statement showing (1) the number of municipal boards, and (2) the number of district boards that have taken advantage of the United Provinces District Boards and the United Provinces Municipal Boards Amendment Acts that were passed by the Council on August 7, 1926 ?

\*14. Have the Government framed any rules in accordance with section 2 of the new Acts ? If so, will the Government be pleased to lay a copy of the rules or draft rules on the table ?

**The Hon'ble Nawab Muhammad Yusuf :** Information is not yet complete. An answer will be given at a later date.

#### UNSTARRED QUESTIONS.

##### RECOMMENDATIONS OF THE CIVIL JUSTICE COMMITTEE.

1. **Mr. C. Y. Chintamani :** (a) Was it within the competence of this Government to give effect to any of the recommendations of the Civil Justice Committee ?

(b) If the answer be in the affirmative, has action been taken upon any of them ? Will the Government be pleased to give particulars thereof ?

(c) What further action, if any, is in contemplation, and when may it be expected to be taken?

**Mr. R. L. Yorke :** (a) Yes.

(b) and (c) A statement is laid upon the table. In cases where further action is in contemplation it is impossible to give any definite period within which the action will be taken.

(See Appendix D, page 1054.)

**The Hon'ble the President :** I have to announce the results of the elections of the Finance Committee and the Public Accounts Committee that were held yesterday.

*Finance Committee.*

1. Mr. C. Y. Chintamani.
2. Raja Saiyid Ahmad Ali Khan Alvi.
3. Raja Jagannath Bakhsh Singh.
4. Rai Bahadur Babu Mohan Lal.
5. Thakur Hukum Singh.
6. Pahdit Govind Ballabh Pant.
7. Dr. Shafa'at Ahmad Khan.
8. Khan Bahadur Hafiz Hidayat Husain,

*Public Accounts Committee.*

1. Rai Bahadur Lala Mathura Prasad Mehrotra.
2. Khan Bahadur Saiyid Jafar Husain.
3. Babu Kavendra Narayan Singh.
4. Thakur Bijai Pal Singh.
5. Nawabzada Muhammad Liaqat Ali Khan.
6. Rai Bahadur Chaudhri Jagannath Prasad.
7. Hafiz Muhammad Ibrahim.
8. Rao Sahib Kunwar Sardar Singh.

**BUDGET, 1927-28.**

**DISCUSSION OF DEMANDS FOR GRANTS.**

**Demand no. 25. Head 5—Land Revenue.**

**The Hon'ble Sir Sam O'Donnell :** I beg to report to the Council the recommendation of His Excellency the Governor that a sum of Rs. 88,32,718 be provided to defray the expenses in connexion with the collection and administration of land revenue and I move that this sum be voted.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I beg to move a (substantive) reduction by Rs. 10,471 of item concerning Rs. 1,71,491 (page 143 of the Detailed Estimates) under sub-head "Management of Government estates (4) supplies and services.

If the honourable members will turn to page 143 of the Detailed Estimates under the management of Government estates, supplies and services, they will find that there is an increase of Rs. 10,471 under fixed land revenue. The actuals of 1925-26 do not show any figure, only the total is given viz., Rs. 7,754. So I find that this sum for "fixed land revenue" was only introduced in the budget of 1926-27. In the budget estimate for 1926-27 we find that a sum of Rs. 1,61,020 has been placed. But in the budget estimates of 1927-28 we find that there is an increase of the sum that I have moved. I do not understand why this increment has been made. The new system of accounting was introduced

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

this year, so it cannot be said that it has been brought from somewhere else. I consulted the memorandum of Mr. Blunt and there I find that he says:—"These figures represent the share of revenue due by the State and the same amounts appear in the receipts from land revenue." Well, I could not find under land revenue this heading in a separate column. It may have been mixed with some totals. Besides, it was only yesterday that the Hon'ble Judicial Secretary came to me to inquire about this item; he told me that this sum was meant for the introduction of some new scheme. Well, I do not know whether this is meant for the introduction of a new scheme or it is meant for any other purpose, but what I find is this, that it certainly is in excess over the figures budgeted last year. I therefore think that this amount should be cut down and hope the Council will agree with me.

**Mr. E. A. H. Blunt:** I am afraid that the honourable member, and also other members of this House, are very much in the position of Lord Byron when he wrote of a certain crisis:—"I wish he would explain his explanation." Apparently this memorandum leaves much to be desired. However, the matter is perfectly simple. The reason why the figure was so small in 1925-26 is simply that in that year we did not show the land revenue on the expenditure side at all. We simply ignored it on both sides. Last year, the Auditor General said that to complete our accounts we ought to show land revenue both as expenditure and on the receipt side. That accounts for there being a small figure in 1925-26.

As regards the increase, it is due, if honourable members will look to the separate detailed estimates for different estates, to an increase of revenue under the estimate of "other Government estates under the administrative control of the Board of Revenue". These are all sorts of attached estates, attached for all sorts of reasons under the law—and naturally they vary from year to year. Sometimes we have more estates attached and sometimes less. It happens that in the next year we expect to have more estates attached than we have in the current year, and consequently the land revenue charge has increased. I can assure my honourable friend that there is no earthly advantage in cutting out this sum, because if it goes out from this side, it would have to go on the receipt side too and the net result will be that these particular estates would get away without paying land revenue; there would be no other result whatever.

**Khan Bahadur Maulvi Fasih-ud-din:** I beg to move an amendment to the motion of Mr. Mehrotra that for the figure Rs. 10,000 and odd the figure of Rs. 5,000 be substituted.

**The Hon'ble the President:** As sufficient notice of the amendment is not given, is there any objection to the amendment being moved?

*There being no objection, the amendment was permitted to be moved.*

**Khan Bahadur Maulvi Fasih-ud-din:** Mr. Blunt has just pointed out that the increase in this figure of about ten thousand and over is due to the fact that he expects more estates to be brought under attachment next year.

**Mr. E. A. H. Blunt:** Now,

**Khan Bahadur Maulvi Fasih-ud-din :** He says that more estates are under attachment now. We do not know what they are under attachment for. Are they attached for arrears of land revenue or for any other reason? If they are attached for arrears of land revenue, then surely they will have to be released after the expiry of the year, i.e., before the end of September of this year, but if they are attached for any other reason, then we should have a full account of these attached estates and as to the probable dates of their release and for that reason I want to give a figure which will be a compromise between the present increase and Mr. Mehrotra's figure.

**Rai Bahadur Thakur Hanuman Singh :** In connexion with the question which is under discussion in the House I would like to know why this land revenue has been shown in the budget when the Government estates' income goes into the Government exchequer direct. I do not think there is any need for the Government to show the amount of land revenue due on account of the estates belonging to the Government as a separate item. I find on the receipt side that all the income derived from the Government estates is shown as revenue. I have not been able to understand why this amount has been entered on the expenditure side for the payment of land revenue, to whom will this land revenue be paid when all the income of the Government estates goes into the Government exchequer?

**Mr. H. A. Lane :** Khan Bahadur Maulvi Fasih-ud-din Sahib has asked what kind of estates these are which are shown under this head. All estates which are directly under the Government are included in this, and there are among them a very large number of small estates. They are not only the estates attached for arrears of land revenue, but among them there are also estates which have come under the management of the collector as a result of the decisions of civil courts. The collector may be appointed receiver or property may be entrusted to the collector's management in insolvency proceedings or for various reasons by a civil court. There is a very big number of these small estates, some 100 of them, and naturally, owing to the new system of accounting, as the revenue which is paid on these estates has to be debited on one side and to be credited to that of the collection of revenue, the sum fluctuates from year to year according as these estates come into and pass out of the management of the collector. It is impossible to detail all the different reasons for which estates are handed over to the management of the collector, but they all are for reasons which are covered by some law or another, either the Land Revenue Act or the Insolvency Act or some Act of the kind.

**Khan Bahadur Maulvi Fasih-ud-din :** May I put one question, Sir?

**The Hon'ble the President :** Yes.

**Khan Bahadur Maulvi Fasih-ud-din :** May we know what is the exact amount of the land revenue of these estates which is to be debited on each side and the revenue and expenditure out of the sum of 1,77, and odd.

**Mr. E. A. H. Blunt :** At page 24 of the Detailed Estimates of these Government estates you will find that the amount due from these minor Government estates under Court of Wards in this year is Rs. 34,344. This covers about one hundred estates. I think one of the members

[Mr. E. A. H. Blunt.]

said that he wanted to know where this money was shown on the receipt side. As a matter of fact it is not shown separately. It is simply a part of the ordinary land revenue, of the total figure of seven crores which is described as "ordinary revenue" under the head V A.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I could not understand the last explanation of Mr. Blunt. He says this is mixed in the item of land revenue which is seven crores. I do understand that every list of income of land revenue will be under that amount. What I wanted to know was whether this particular item would be found on the receipt side because I could not find it. Then, Sir, Mr. Blunt also said that formerly this item was neither shown on the receipt side nor on the expenditure side—I do not know how such big items are left without being shown on one side or the other—till he was informed by the Accountant General that this should be shown on both the sides. I think that this is certainly an increase and a reduction should be made according to my motion. I hope the House will agree with me in omitting this sum.

**Mr. E. A. H. Blunt:** May I give a personal explanation, Sir? I may point out that if an item is shown both on the receipt side and on the expenditure side, it has precisely the same effect as if it were not shown at all. We formerly showed it in one way: now we show it in another, that is all.

**The Hon'ble the President:** It is hardly a personal explanation; it is a point of debate.

**The Hon'ble Sir Sam O'Donnell:** I must confess that I cannot understand why the honourable mover wishes to press this motion. We have explained the position clearly. We have shown that under the ruling of the Auditor General we now show this land revenue both on the receipt and on the expenditure side, and we have also explained that the increase is simply due to the fact that there is a larger number of small estates which are under Government management. Khan Bahadur Maulvi Fasih-ud-din as an old district officer must know that the number of such estates fluctuates from year to year. These small estates come under the management of the collector for one reason or other, as a result of insolvency proceedings, under the Land Revenue Act and so on. We cannot expect the figures to remain exactly the same every year.

**Khan Bahadur Maulvi Fasih-ud-din:** May I ask a question, Sir?

**The Hon'ble the President:** Yes.

**Khan Bahadur Maulvi Fasih-ud-din:** The fact of the matter is that we have got a figure of Rs. 1,77,000 odd under this head and this is in excess of the revised figure by about Rs. 10,000 and in excess of the old budget figure that is of 1926-27.

**The Hon'ble the President:** That point was made by the mover.

**Khan Bahadur Maulvi Fasih-ud-din:** I am coming to that. This figure of Rs. 1,77,000 odd represents not only land revenue of the estates under the direct management of the collector but also some expenditure in connexion with supplies and services, and I do not agree with the mover.



**The Hon'ble the President :** The honourable member has not the right to make a speech—he can only ask a question.

**Khan Bahadur Maulvi Fasih-ud-din :** I want to know what amount of land revenue is included in this figure and whether the increase is due only to land revenue or to the ordinary expenditure under this head. It is a very clear issue which we ought to decide.

**Mr. E. A. H. Blunt :** If the honourable member will only look at the figures on page 143 he will see there are three heads. One of them is fixed land revenue. The whole of that is fixed land revenue. If it was not that, it would not be so described.

*The motion of Rai Bahadur Lala Mathura Prasad Mehrotra was put and negatived.*

*The amendment of Khan Bahadur Maulvi Fasih-ud-din was, by leave of the Council, withdrawn.*

**Pandit Bhagwat Narayan Bhargava :** I beg to move a substantive reduction by Rs. 10,000 of item concerning A—Collection of revenue (page 143 of the Detailed Estimates) under sub-head "Management of Government estate."

**The Hon'ble the President :** Under the entire sub-head ?

**Pandit Bhagwant Narayan Bhargava :** Yes Sir. In fact I wanted to refer to three particular items under this, but as one of them has been disposed of, I will refer only to two. Honourable members will find under "House rent and other allowances" a figure of Rs. 16,677 this year. In the year 1926-27 it was Rs. 4,578 and in the year 1925-26 it was Rs. 4,634 and in 1924-25 it was Rs. 8,430. So we find that this year there is an increase of over Rs. 12,000 over the budget estimate of 1926-27. If we refer to contract contingencies there is an increase of over Rs. 2,000; thus there is an increase of about Rs. 14,000 under this sub-head, collection of revenue, and I am moving simply a reduction of Rs. 10,000. It might be said by Government that on account of certain instructions of some accounts authorities this amount has been placed under "house rent and other allowances" and that is the reason for the increase. But I will submit Sir, that if we look at the budgets of previous years we find that these very items were mentioned under this subject, and, as I have already quoted the figures for the years 1924-25 and 1925-26, it is fair and reasonable that under this particular item the expenditure should not have been increased so much. I therefore move a reduction of Rs. 10,000 and I still leave an excess of Rs. 6,000 for Government to use in any way they like.

**Mr. E. A. H. Blunt :** The honourable member first referred to house rent and other allowances as having increased by a very large sum. If he will look at the item just below, rent and commission, he will see that item has decreased to an equal extent. This is merely a case of re-classification. When we took over the new accounts system we were not satisfied with the classification and by the demand of the Public Accounts Committee and with the assistance of the Director of Audit and the accounts officers we went through and re-arranged certain figures. That is why there are this year a certain number of cases of re-classification. I hope they will never occur again. That is the simple explanation of this. In the one year it is called house rent and in the other case it is called rent. Being actually house rent, it has been placed

under that head. The other figure is contract contingencies. If the honourable member will look at the total he will find that the figures are as a matter of fact exactly the same as the revised and only 479 lower than the budget of last year. Here again it is a question purely and simply of a certain amount of re-classification. The pay of menials and the non-contract contingencies have decreased, and contract contingencies proper have increased. The other figures have scarcely varied at all. The addition under contract contingencies represent transfers from those two heads, pay of menials and non-contract contingencies. That again is entirely a question of re-classification due to our attempt to make all the items in all the budgets precisely the same. Formerly they varied considerably.

**Thakur Manjit Singh Rathor:** While travelling allowance is under consideration, I would like to ask why the registrar kanungo of tahsil Chakrata, district Dehra Dun, is not given special allowance as he carried on the work not of kanungo but of supervisor kanungo.

**The Hon'ble the President:** The item is collection of revenue—Government estates—there is nothing about kanungos mentioned under supplies and services and non-contract contingencies referred to by the mover.

**Pandit Govind Ballabh Pant:** There is one point to which I desire to invite the attention of Government. I had tabled a motion of mine but probably I mislaid it. Contract contingencies come to about Rs. 27,797. The details are given on page 2 of the contingencies incurred in the Government estates in my district and the total comes to Rs. 17,000 on account of feed and keep of animals, item 12. I submit, Sir, the time has arrived when some economy should be made under this head. This amount is spent for the feed and keep of elephants, I believe mostly. As geologists say, elephants are simply survivals of the barbarous age. There might have been some necessity for animals of this kind when we had not the railway system in any part of the Government estates. Now, they serve only one useful purpose and that is to accommodate shikaris and officers when they go out in shikar. I am not opposed to any legitimate diversion in whatever form one may like to enjoy, but I feel that it should not be done at State expense. That is the reason why I am supporting this motion, and if the Government undertakes to reduce the number of elephants so that economy may be made under this head I on my part have not much to say about other matters that have been advanced by other speakers.

**The Hon'ble Sir Sam O'Donnell:** The honourable member for Naini Tal has said that the expenditure on elephants is a survival of a barbarous age. Well, I understood that zoologists believe that the elephant himself is a survival of a very remote age, that he has come down to us probably from an earlier age when the general fauna were very different from what they are now and they fear that he may gradually become extinct. But although the elephant himself may be a survival, I cannot admit that the retention of the elephants in these estates is an unjustifiable survival. I have no personal experience of the estates, but I am informed that in various parts of Tarai and Bhabar you cannot get about at all except on elephants. On one occasion I was in the neighbourhood of the Tarai and I imagine that there must be quite a number of places in which it is difficult for touring officers to get about except on elephants. I think it would be really a mistake to reduce the number of elephants.

**Khan Bahadur Maulvi Fasih-ud-din :** About ten years ago I was in charge of the Kashipur sub-division and I noticed that there were twelve elephants there at the time. I do not know exactly the number of elephants that are kept there now, but I believe that their number is quite large, because the other day I came across a train of these elephants along the road. There is no doubt, as the Hon'ble Finance Member says, that they are very much needed for touring purposes by the officers, specially when some of the places in Tarai and Bhabar are otherwise inaccessible. But I do not see any reason why such a large number of elephants should be kept. The number may be curtailed to two or three. Surely two dozen elephants are not needed.

**Mr. B. D'O. Darley :** As a previous Superintendent of Tarai and Bhabar estates, perhaps I may be able to enlighten honourable members on this matter. The elephants are not kept exclusively for the use of officers; they are kept more for the use of the staff, i.e., peshkars and tahsildars, during the rains, when it would otherwise be impossible for them to get about from one village to another without elephants.

**Pandit Govind Ballabh Pant :** How do the villagers go about ?

**Mr. B. D'O. Darley :** The villagers do not have to tour right across the tahsils. They stay in their own villages and I may say that in Bhabar the Paharis go to the hills.

Sir, I do not think that the number of elephants employed in the estates is at all excessive, specially as it is impossible to work an elephant hard during the rains. It is necessary to keep elephants at each tahsil headquarters for the use of the staff.

**Pandit Bhagwat Narayan Bhargava :** I cannot agree that expenditure under this head is not increasing year after year. We know that in fact the expenditure under this head has increased since 1925-26 by about Rs. 2,71,000. I also cannot agree that the elephants that are required in these Government estates are a necessity, as stated by Mr. Darley. I think that a large number of them can be dispensed with if the Government keeps in mind the idea of economy as contemplated in the motion for reduction which I have moved.

We do not say that the entire sum should be deleted or that the elephants that are kept in the estates should all be dispensed with. We want to reduce the amount by Rs. 10,000 and we have shown increase under three sub-heads and a total increase under the entire head. Mr. Blunt explained that the increase under allowances and honoraria is simply due to classification. I should like to know whether the same items of expenditure were not shown like this in the budget estimate of the previous year. In my opening speech I quoted the figures for another year. That year the expenditure was provided separately for house rent and other allowances.

**The Hon'ble Sir Sam O'Donnell :** I cannot understand the statement of the honourable member that the expenditure has gone up by more than two lakhs. If honourable members will turn to pages 143 of the Detailed Estimates they will find that, except for the sum of Rs. 10<sup>00</sup> which was discussed on the earlier motion, in regard to which Council was satisfied, there is no increase. Under allowances and honoraria the expenditure in 1926-27 was Rs. 29,891.

**Pandit Bhagwat Narayan Bhargava:** I referred to the actual expenditure of 1925-26.

**The Hon'ble Sir Sam O'Donnell:** Yes, the actuals for 1925-26 is Rs. 25,236. Naturally it fluctuates from year to year. Really we cannot expect that every budget item should be kept precisely at the same figure from year to year. I may point out that the budget estimate for the year 1926-27 was Rs. 29,891. All that has happened is a re-classification of the same amount. Thus under head "contingencies" the actual expenditure in the 1926-27 revised estimate is Rs. 51,000 and the budget estimate for 1926-27 is Rs. 51,479. The budget estimate for 1927-28 is Rs. 51,000, exactly the same figure. All that has happened is a re-classification.

As to the elephants I think Mr. Darley has made the position quite clear. There are a number of tahsils—"peshkavis." I think they are called in the Tarai and Bhabar. The staff have to go about during the rains and elephants are required for them and not only for the touring officers. Any one who has seen the Tarai and Bhabar will realize that during the rains it is quite impossible to go out in any other way except on elephants.

*The motion was put and negatived.*

**Pandit Badri Dutt Pande:** I beg to move a substantive reduction of Rs. 4,297 of the item concerning "A collection of revenue." My motion refers to Kumaun soldiers' settlement, Government estates. I think these estates comprise the old Kausani and Wajula estates. This was formerly the property of the late Norman Troup, a premier tea-planter and philanthropist. It was an unlucky event that the premier tea industry of Kasauni was allowed to go waste. It is an open secret that people wanted to buy the estate, but as the Government did not allow them to do so, they converted the land into the Kumaun soldiers' settlement. This land is a fee simple estate, and I should like to tell the honourable members what this fee simple is. In Kumaun there are a lot of such estates—estates which were given to Europeans for colonization for a nominal value. They had to pay no rent for them, but only a little cess. The land was given, as I have already said, for colonization, for tea industry and for fruit gardens. The tea industry was a flourishing industry, but after some time it was allowed to go waste, and many of these were sold to Indians. Most of the fee simple estates, therefore, are now possessed by Indians, because most of the Europeans have either died or left the land. At the conclusion of the war, however, the said estate was converted into a Kumaun soldiers' settlement, and I am told that the soldiers to whom the land has been given do not find it productive. The land has in consequence become unpopular with the soldiers, with the result that the income from it amounts to only Rs. 1,230, while the expenditure comes to Rs. 4,297. It will therefore appear that the estate is very expensive, and my humble submission is that if it is found necessary to maintain it, the charge should fall on the Imperial revenues, as it is the military department which originally purchased it for soldiers.

**Mr. H. A. Lane:** I think it will only be necessary to explain shortly to the House the origin of this settlement in order to satisfy the honourable members that it would be a mistake for the Government to part

with it. At the conclusion of the war the Government of India were seeking the best means of rewarding the Indian officers and men in the Indian Army for distinguished services during the war. Among the regiments which particularly distinguished themselves were the Garhwali and the Kumauni regiments. In the case of regiments coming from the plains the most favourite form of reward was the grant of land, free from all land revenue. The officers and men of the hill regiment naturally preferred to have their land in the hills. The usual form which the land grants took was the grant of land free of land revenue. In the hills it was extremely difficult to discover any suitable land which could be handed over to the men whom it was desired to reward. There was a good deal of correspondence and attempts were made to find the most suitable area in which to give these men grants and this area in question was chosen. The land was actually bought by the Government of India and not by this Government and it was allotted to the men selected as recipients for rewards for their services. The tenure which was selected as being the most suitable, considering the local conditions and the value of land in the locality as compared with the land in the plains, is what is known as the *khaikari* tenure of the hills. The grants given measure five acres for a soldier and ten acres for an officer.

The honourable member has said that this land is unpopular with the men who have been given grants there. The fact is that far from its being unpopular, the men there are clamouring to have their grants converted into grants with full proprietary rights. They would not give up this land for any price which they could get and the question is at present under consideration as to the form of tenure which the grants should take. I do not think that it is a fact that the land is unpopular. If the honourable member will inquire further from the grantees I feel sure that he will find that there is no dissatisfaction with the land and no desire on the part of grantees to part with their land.

As regards the revenue and expenditure, the land being in the nature of grants as rewards for distinguished military service the rent was naturally fixed at a low figure. The nominal rent is Rs. 2 an acre. I am sure it is not the wish of the honourable member that a profit should be made by Government out of land given to men who have fought and fought with distinction in the war. That is why the expenditure on the estates exceeds the receipts. It is not meant to be a commercial concern at all or a money-making concern. After all, if we look at the figures, the excess of expenditure over income is not surely a big price paid as a reward for the distinguished services of these men.

**Pandit Badri Dutt Pande :** I have listened to the arguments of the honourable Judicial Secretary, but he has not touched one or two points. I said that as the land was purchased by the Imperial Government the expenditure on it should also be borne by them and not by the Local Government. This point has not been answered. I said further that Wajula was popular and that Kausani was unpopular. I did not say that both the estates were unpopular. Wajula is a fine smiling valley and Kausani is rather a shady place. This Kausani is unpopular. I had a talk with the soldiers and they are dissatisfied with it. I do not want that the soldiers should be deprived of their grants. The land may be given free or sold to them, so that the annual expenditure may not be necessary.

**The Hon'ble Sir Sam O'Donnell :** As regards the point which Government should bear the cost, to begin with I must explain that the existing arrangement is a pre-Reform arrangement. The Government of India bought the estate. They paid for it and incurred the greater part of the expenditure over it. These provinces, at that time, took over a very small annual expenditure for running it. Whether, theoretically, we could after the reforms have pressed a claim on the Government of India for this small sum, seems to me to be a matter not worth going into. At present the general understanding between the provincial Government and the Government of India is that neither Government presses small petty items. If the accounts on both sides were examined and if the expenditure were minutely classified, according to the Devolution rules, it would be found that there are various small sums which ought to be paid by one Government or the other. Since however the discussions which were held two or three years ago at Delhi, all the provinces, and certainly these provinces, have taken the line that we do not worry each other about insignificant items. We take the land revenue from the estate and pay the expenditure which is about Rs. 4,000. The difference is very small. We do not press the Government of India for this small sum, as they do not press us for expenditure in connexion with minor services.

The honourable member has said that the land is unpopular with the soldiers. Our information is not to that effect. Our information is that the soldiers are anxious to have their *khasikari* tenure converted into full proprietary rights. That does not suggest that they are dissatisfied with their land. They are at liberty to surrender their holdings at any time. I am sure that the Council will agree that these men are most deserving men. The Kumaun division has rendered the most splendid services to the country. Rupees 4,000 is all that we incur on the estate.

*The motion was put and negatived.*

**Pandit Govind Ballabh Pant :** I propose that a sum of Rs. 56,640 on account of total, engineering staff, on page 144 of the Detailed Estimates be reduced by Rs. 3,000.

I will give in a few words the reasons for moving this motion. The Executive Engineer in charge of the Tarai and Bhabar Government estates is also the Superintendent or the Manager of the estates. That raises a question to which I would refer later as there is another motion in my name relating to this subject. The headquarters of the Engineer Superintendent are at Naini Tal during the summer and the rains. Naini Tal is situated outside the jurisdiction of the Engineer. He has nothing to do at Naini Tal. He has no business to be there. All his work lies in the Tarai and Bhabar, and the central place is, I think, Haldwani. Besides that, most of the work which needs constant attention has to be done during the rains. As Mr. Darley with his experience will bear me out, it is mostly at that time that attention has to be paid to the question of distribution of water. That is the time when the Superintending Engineer's presence in the midst of the cultivators of Government estates is absolutely necessary. There are already two sets of buildings, one at Haldwani and the other at Naini Tal. The office stays at Haldwani for about five or six months

in the year. The buildings are already there and there is ample accommodation. Besides these, there are very fine buildings in Naini Tal which are used for a part of the year. I think the Government could put the buildings there to a better use. That place is costly enough, and I think the Government stands in need of accommodation for so many purposes. So, in the interests mainly of better administration of the estates, I suggest that the Engineer should have his headquarters in the estate throughout the year. If at any time, owing to the unhealthiness of the climate there it is absolutely necessary for him to run away from the estates, he may go away for a fortnight or so, but I see no reason why he should run away from the charge for months. I admit that the climate of these estates is not as wholesome as that of Naini Tal in the summer and the rains. But there are so many other Executive engineers and they have to submit to their destinies which the nature of their task imposes upon them. In these circumstances if the executive Engineer in charge of the Government estates is not given any special opportunity, I see no reason why he should feel aggrieved. So in the interests of economy as well as of better administration of the estates I think it is desirable that his headquarters should be throughout in the estates. If this proposal of mine is accepted, a saving of Rs. 3,000 in the form of travelling allowances and carriage of office records and the staff would follow as a corollary. That is the reason why I have made this motion.

**Mr. B. D'O. Darley:** The honourable member has put the matter in a nut-shell when he says that there are times when the climate of the Tarai and Bhabar estates is not so good as that of Naini Tal. But it is not fair to compare the climate of the Tarai and Bhabar estates with the climate of other parts of the province where executive engineers have to remain at their headquarters and do not go to Naini Tal. The climate of the Tarai and Bhabar estates is the worst in these provinces and the honourable member will admit that 9/10ths of his hill brethren who cultivate in the Tarai and Bhabar estates go to the hills, just as the Superintendent of the Tarai and Bhabar estates goes during the same months as they do. That I think is the answer.

**Khan Bahadur Maulvi Fasih-ud-din:** Naini Tal is also my constituency and I must have my say on this subject. Two points that have been raised by the honourable mover are—

(1) that the executive engineer should not be in charge of the Tarai and Bhabar estates in addition to his own duties ;

(2) that he should not be allowed to stay at Naini Tal while he is in charge of the Tarai and Bhabar estates. As regards the first point I remember that when I was in charge of the Kashipur sub-division there used to be a whole-time Superintendent for Tarai and Bhabar, and the late Mr. Campbell had held that office for some time. The same arrangement continued later on. But by some strange arrangement the Tarai and Bhabar management has now been given to the Executive Engineer. This arrangement implies two things. Firstly, that the Executive Engineer has not enough work to do and that he can consequently take up some other work also in addition to his legitimate work. The second thing that has to be considered is that he gets about Rs. 500 or Rs. 600 over and above his legitimate pay. He is just as much executive engineer as so many other officers of the engineering department

are and there is absolutely no reason why he should be treated differently from others. Now I think that the management of the Tarai and Bhabar estates is getting more and more complicated and more difficult every day and there is absolutely no reason why the scheme of having a whole-time officer should be not resorted to and a deputy collector be appointed to take up this work, if any other competent officer is not available.

Now as regards the second point, I remember that when I was in charge of the Kashipur sub-division the Government passed an order that the Sub-divisional Officer of Kashipur should not stay at Naini Tal during the summer season, and they made an exception in my case and not in case of my successors. As a matter of fact the Sub-divisional Officer of Kashipur has to stay at Kashipur throughout the whole year and it is a matter of common knowledge that the Kashipur climate is ten times worse than the climate of Haldwani. If that principle is applied in the case of the Deputy Collector there is absolutely no reason why the same principle should not be applied in the case of the Executive Engineer of the Tarai proper. As a matter of fact I think that the climate of Haldwani is not so bad as the climate of other places in the Bhabar itself. In fact it is looked upon as a fairly healthy climate throughout the whole or part of the year, because there is no swamping or dampness; and if there is any dampness it is only for the three months of the rainy season and not for the rest of the year. It is for these reasons that I think, the proposals that have been made by the member for Naini Tal are very sound and very reasonable.

**Rai Bahadur Babu Mohan Lal :** I have heard the arguments advanced by the honourable mover and supporter with very great concern and I think there is much force in the argument advanced by those gentlemen. The zamindari estates can better be managed by a deputy collector than an Executive Engineer, and if we can have efficient management by appointing an Indian officer I think it is not proper to spend such a large amount by entrusting the work to an Executive Engineer. It is not his duty. The Executive Engineers can be put in charge of their own departments, but the management of the estate is the legitimate duty of the deputy collectors, and, if a Deputy Collector is appointed, much economy can be affected and we will have better management with less money. I therefore support the motion.

**Pandit Govind Ballabh Pant :** I think if anybody had any doubt in his mind about the soundness of the proposition advanced by me, that should have been completely removed by the fact that my motion has the support of the most sensible gentlemen in this House and further by the fact that Mr. Darley, who was once the Superintendent of these estates, has admitted the facts stated by me. He has not repudiated what I said. Firstly, that all the work that the Engineer has to do is outside Naini Tal and he has no business in the ordinary state of things to be there. Secondly, that during the rains the work has to be tackled with greater vigour and earnestness than in any other part of the year.

**Mr. B. D'O. Darley :** No.



**Pandit Govind Ballabh Pant :** Well, he had not repudiated this in his reply ; I do not know whether it is an after-thought. Then it is also admitted that it is desirable in the ordinary course of things that the Executive Engineer should be in the estates where he has to do his work. But he says that the climate of the Tarai and Bhabar is not very wholesome. I admit that. I said that myself but there are many other places which are not healthy enough. I think the climate of Naini Tal is much better than that of Bareilly or Gorakhpur but the Deputy Commissioners of those places cannot be allowed to migrate direct to Naini Tal in order to benefit by the better climate of that place. Bareilly is not very far from Naini Tal. We have to admit that there are Indian officers who have to stay and work in the estates. One Deputy Collector has to work as the Sub-divisional Officer of Kashipur which is a part of the Tarai, and I think this statement of mine will not be disputed that the climate of Haldwani is better than that of Kashipur, Haldwani being situated in Tarai and Bhabar and Kashipur being in Bhabar proper.

I understand that the Government has appointed a sessions judge to try the special dacoity case and that sessions judge is expected to stay at Haldwani during the twelve months of the year continuously. When the sessions judge can stay there, I see no reason why the Executive Engineer, who has nothing to do outside the estates, should be given the special privilege of moving up to Naini Tal for the sight, for the fun and fair and for the romance of that beautiful place. I admit that Naini Tal has its irresistible attractions, but public service imposes obligations which should control all considerations of personal comfort. It is on these grounds that I urge this motion and hope that it will be accepted by this House. I may also state the fact, which has already been referred to by the honourable member for Bareilly-cum-Kumaun, that the Executive Engineer is getting Rs. 550 in addition to his pay and he can certainly make special arrangements which will enable him to stay in the estates.

I have one other object too in view. I believe that if the Executive Engineer stays right through at Haldwani or in some other place in the estates, in all likelihood measures will be taken to improve the climatic conditions of that place, for then it will touch him vitally and he will move the Government and the Government will tackle the problem with the earnestness that it deserves and demands. I see no reason why the Government should have opposed this motion and I fail to understand that, with all their clamour for efficiency, they are disregarding a course which should conduce towards greater efficiency. The Executive Engineer has my sympathy, whosoever he may be, but the thousands of people that are committed to his charge naturally claim more of my sympathy and we have to see to it that they get the best return for the payment that they make for the services that are rendered to them on behalf of the Government which realizes the taxes from them direct. So I hope this motion will be accepted by the House.

**The Hon'ble Sir Sam O'Donnell :** If we oppose this motion it is not on account of any particular sympathy for a particular officer, but because we consider that the present arrangement is the best in the interest of the administration itself. As I said before, I have no detailed acquaintance of the Tarai and Bhabar, but I am informed by Mr. Darley

that it is not the case that the rains is the time at which the Executive Engineer has to do or ought to do most of the work. On the contrary, he tells me there is practically nothing that he can do during the rains. Irrigation goes on no doubt during the rains but all the repairs to the canals have to be carried out after the rains. Secondly, it is not really reasonable to compare the climate of Haldwani and the climate of Bareilly and Gorakhpur. I know Gorakhpur because I was stationed there four years, and there is no comparison whatever between the climate of Gorakhpur and the climate of Haldwani. Personally I do not like the climate of Gorakhpur; it always seemed to be an excessively damp climate, but it is dry and salubrious compared to Haldwani. Haldwani in the rains is really almost uninhabitable. Most of the people who belong to the plains go away from Haldwani. If we were to insist on the officer staying down there during the rains the result would be that he would fall ill and have to go on sick leave and the leave charges would increase. There would be no real economy whatever. As to improving the climatic conditions, well, we are doing what we can for the Tarai and Bhabar in that respect. We have had a malarial survey. We have included provision in this year's budget to meet proposals based on that survey, and I hope that a further provision will be passed in the supplementary estimates. But whatever you do, the Tarai and Bhabar will never have a really healthy climate. Haldwani certainly in the rains will always be a place which is extremely unhealthy. As to going back to the old arrangement under which there was a separate superintendent, that certainly would not make for economy, for if a Deputy Collector were to be appointed he would have to receive his pay and to get a local allowance and in addition we should have to pay for the Executive Engineer. The arrangement under which the two posts are combined has a distinct advantage of economy, and it is also more convenient from the point of view of the villagers who have to deal with only one officer. It must be remembered that the whole administration of the Tarai and Bhabar depends on the irrigation system, the whole cultivation of that area depends on the irrigation system. The honourable member for Naini Tal said that there were Executive Engineers elsewhere and they had to remain down, but I think he had forgotten Banbassa. The Executive Engineers are allowed to leave Banbassa during the rains.

**Pandit Govind Ballabh Pant :** I was not referring to Banbassa.

**The Hon'ble Sir Sam O'Donnell :** When you get a very unhealthy place, you have to make special arrangements; that is my point. Nobody seems to like Haldwani.

*The motion that the demand be reduced by Rs. 3,000 was put and the Council divided as below—*

**Ayes, 58 ; Noes, 30.**

*Ayes.*

Mr. A. P. Dube.  
Pandit Mahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Beder.  
Thakur Manjit Singh Rathor.  
Raj Sahib Lala Jagdish Prasad.

Chaudhri Vijai Pal Singh.  
Thakur Manak Singh.  
Thakur Pratap Bhan Singh.  
Thakur Hukam Singh.  
Raja Khushal Pal Singh.  
Rao Krishna Pal Singh.

*Ayes—(concluded).*

Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Rao Udaibir Singh.  
 Babu Kishori Prasad.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Babu Uma Shankar.  
 Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Babu Ganga Prasad Roy.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Sirdar Nihal Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Rai Bahadur Pandit Sankata Prasad Bajpai.  
 Mr. C. Y. Chintamani.

Mr. Zahur Ahmad.  
 Mr. Muhammad Abdul Bari.  
 Saiyid Tufail Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Nawabzada Muhammad Liaqat Ali Khan.  
 Hafiz Muhammad Ibrahim.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Saiyid Jafer Husain.  
 Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
 Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Khwaja Khalil Ahmad Shah.  
 Shaikh Muhammad Habib-ullah.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Rai Bahadur Lal Mathura Prasad Mehrotra.  
 Raja Shambhu Dayal.  
 Kunwar Bisheshwar Dayal Seth.  
 Raja Jagannath Bakhsh Singh.  
 Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.

Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut. Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. B. D'O. Darley.  
 Mirza Muhammad Sajjad Ali Khan.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Thakur Bikram Singh.  
 Rai Bahadur Babu Abhinandan Prasad.  
 Haji Abdul Qayum.  
 Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
 Mr. St. George H. S. Jackson.  
 Mr. J. P. Srivastava.

**Pandit Govind Ballabh Pant:** I beg to move that the sum of Rs. 2,25,265 provided on account of works outlay at page 144 be reduced by Rs. 5,000.

I will not go into the details of the budget figures or into the history of the growth or otherwise of this expenditure. I want to find out one or two things. I want to know what provision has been made under this head for the purpose of walling; whether any new walls are to be erected for protecting the villages from wild beasts. The other point that I want to urge, and that is in fact the main point on which I would ask the House to divide in case the Government is not pleased to listen to my request even now, is this: There is a small bit of canal between Kathgodam and Damuadhoonga, a distance of about two miles. The current there moves with great force and the road passes by the side of the canal. There are cultivated fields on either side of it. Almost every year a number of cattle get into the canal and die. I put a question recently and I know that this canal was responsible for the loss of animals as well as of human life. I suggested it to the Government that they should put up a fence by the side of this canal over this bit

[Pandit Govind Ballabh Pant.]

of two miles; it would not have cost more than Rs. 2,000 or Rs. 3,000 on the outside. I believe that it is the duty of the Government to protect the public from such pitfalls, having designed the canal in such a manner and having allowed it to exist by the side of the public way and having allowed it to divide the cultivated area. I think, if the Government had not been responsible for this, it would have compelled any other man who might have owned that canal to fence it and to protect the public against the ravages which follow from its present situation. I cannot imagine any Government being so callous as not to care for the safety of human lives where a small expenditure is sufficient for the protection of human beings. Whatever value one may attach to an Indian, where his life can be protected by means of a small expenditure, I cannot understand why the Government which is prepared to spend Rs. 2,25,255 over irrigation works, should refuse to incur such a small outlay over the most sacred of all investments. It is on that account that I make this motion and if the Government agree to put up this fencing, I would withdraw it; if they do not, I would request the House to support it.

**The Hon'ble Sir Sam O'Donnell:** As regards the walling, the figures are being looked up by the Finance Secretary. I cannot say at the moment whether there is any provision for erecting walls. There was a provision in last year's budget, but whether there is any walling project in this budget I cannot say on the spur of the moment.

As regards the other matter, there was a question asked about that. My recollection of it is, and the Revenue Secretary who remembers the answers also tell me that there was no loss of cattle. All that happened was that there was one solitary person who fell into the canal and was drowned. That might happen anywhere. There are rivers in this country as in other countries and every now and then somebody falls into a river, but for that reason the whole river is not fenced. It must be remembered that the path along the canal is not a public thoroughfare it is only for the benefit of the officers using the path. Also I am told that the cost of putting up fencing along this canal would be extremely heavy. If the facts are as I understand, namely, that there has been no loss of cattle, that only one person has fallen—by accident I suppose—into the canal, and that the cost would be extraordinarily heavy, it does not seem to be reasonable to demand that a fence be erected. The railways proceed on the same principle. They only fence the railway lines in certain areas where fencing is clearly necessary. I am as much concerned as the honourable member for the protection of life, but if there has been only a single accident, that does not seem to justify or incurring expenditure which I am told will be prohibitive. If he likes, I will have the matter further looked into, but that is the information that I have received so far.

**Mr. E. A. H. Blunt:** I find in the budget that there is provision for four walling schemes, one for the Chakalwa tract in Kaladhungi tahsil another for Bhagwanpur-Kataria in Kitcha tahsil the third for Katangi in Sitarganj tahsil and the fourth for the eastern and southern sides of the Haldachore tract. These are the four walling works in the present budget. There are also some anti-malarial works. That completes the particular item "Miscellaneous".

**Pandit Govind Ballabh Pant:** The Hon'ble the Finance Member is not aware of the facts. I am prepared to say that this canal is responsible for the loss of one or two lives almost every year, and it is wrong to say that only one single individual has lost his life so far by accident. I know at least of four men who were drowned in this canal. A public way passed by the canal; the residents of neighbouring villages have to cross it; they have to pass over it, and it is all covered with water on both sides of the canal as well as over the way during the rains. I cannot consider how the thing can be so costly. All that is needed is a strong wall about two feet high and this can be done without enormous cost, or one may put up iron poles and iron fencing. The only object is to protect the people from falling into the canal. Of course, a considerable outlay can be incurred over anything—all depends on the manner one cares to do it. But I personally believe that even if the outlay were considerable, any Government which had any regard for the safety and protection of the people committed to its charge would consider it its primary duty first of all to make provision for the safety of human life.

The Hon'ble the Finance Member referred to the railway system. Well, if the railway had been responsible for such a thing, a number of suits for damages should have been instituted against the railway and we could have obtained decrees. But does the Government say that it is an exclusively commercial organization, that it has nothing to do with anything else and that all that it is concerned with is pounds, shillings and pence, all that it is concerned with is the profit that it can make? If the Government frankly accept that it is only for exploitation that they are here, they can very well draw an analogy from the railway, but we are compelled by their professions to retort and to urge that as a Government they owe some duty over and above that which a commercial organization owes as such to the public.

Then, Sir, the Hon'ble the Finance Member said that if it had been a reasonable expenditure, perhaps they might have been willing to incur it. I think he can with his experience calculate the expenditure which has to be incurred in putting up a fence over a distance of two miles to see how very prohibitive it would be. I remember recently Mr. Anderson, one of the superintending engineers of the Irrigation department, went to a place known as Kaladhungi or thereabouts for shikar—on a hunting and shooting expedition and fortunately for me the time when he went there coincided with my own election campaign. I had to visit Kaladhungi too. Sir, you will be interested to hear that I could motor from Haldwani to Kaladhungi with perfect ease. The road to Kaladhungi is not meant for motor traffic, but because Mr. Anderson, the superintending engineer, had to go there for two or three days on a shooting expedition, the budget of the Government estates was able to afford the amount needed for the improvement of that road which connects Haldwani with Kaladhungi. That is one side of the picture, and on the other side when we ask in this House involving a small outlay which is absolutely necessary for the protection of human life, we are told that such an amount is not available, although actually an expenditure of 2,25, is being incurred over the maintenance of these works and there are other expenses of the same character on the other side of the page too.

The Hon'ble Sir Sam O'Donnell : As I said before, I am quite prepared to inquire further into this matter. My information was that only one accident had occurred any way within a recent period and, as honourable members know, accidents occur everywhere in various ways: people sometimes fall into a well; people sometimes fall into a river; where you have a level crossing across a railway accidents from time to time occur. And the view generally taken is that there is a limit to the amount of expenditure which should be incurred in order to make it impossible that any accidents should occur. I do not myself quite see of what advantage a two feet wall would be along this canal. It is extremely unlikely that it would eliminate all accidents; men might fall over such a wall. I do not know the place however and when I got to Naini Tal, I will consult the Commissioner again and see whether anything is practicable.

*The motion was put and the Council divided as follows:—*

*Ayes, 50;      Noes, 35.*

*Ayes.*

Mr. A. P. Dubé.  
Pandit Bahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bodar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Lal Singh.  
Thakur Manak Singh.  
Thakur Hukum Singh.  
Rao Krishna Lal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pando.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Raja Indrajit Pratap Bahadur Sahi.

Bluya Hanumat Prasad Singh.  
Babu Ganga Prasad Roy.  
Pandit Govind Ballabh Pant.  
Pandit Sudri Dutt Pande.  
Mr. Mukundi Lal.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. V. Chintamani.  
Saiyid Tufail Ahmad.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Khan Bahadur Hafiz Hidayat Husain.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Shaukh Saiyid Muhammad alias Maikur Mian.  
Khan Bahadur Maulvi Muhammad Fazlur-Rahman Khan.  
Khan Bahadur Maulvi Pasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaukh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Aivi.  
Rai Bahadur Lala Mathura Prasad Mohrotra.  
Raja Jagannath Bakhash Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Ball.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Willard.  
Mr. E. A. Lane.  
Mr. E. Ahmad Shah.  
Thakur Bikram Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Sirdar Nihal Singh.  
Haji Abdul Qayum.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.

Mr. H. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNairst.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Saiyid Jafer Husain.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Mr. St. George H. S. Jackson.  
Kunwar Bisheshwar Dayal Seth.  
Mr. J. P. Srivastava.

**The Hon'ble the President :** I might say that one honourable member voted both "aye" and "no." These votes have been cancelled.

**The Hon'ble the President :** The motion of Khan Bahadur Maulvi Fasih-ud-din was not received in time. Is there any objection to its being moved.

*The Hon'ble Finance Member raised an objection.*

**The Hon'ble the President :** An objection having been raised, it cannot be moved.

**Khan Bahadur Maulvi Fasih-ud-din :** I want to say, Sir, that I gave my motions on the morning of Sunday. I came to the office. I understood that the time-limit was 48 hours and the rules say nothing about Sunday or any other holiday. So I came to office personally with these motions at 9-30 and when I found that the office was closed I took hold of a certain man and sent him on a bicycle to the House of the Secretary and that was about 10-30 a.m. He returned about 11-15 and said he had given all the motions on Sunday at 11 o'clock to the Secretary at his place, and I find that against these motions the date which is shown is 28th. The rules do not say that Sunday should not be counted. So I beg to get your ruling and I throw myself on your protection.

**The Hon'ble the President :** It is flattering for the Chair to find that an honourable member who has been in charge of a big district is willing to throw himself on the protection of the Chair. In the ordinary parlance I might have said I required notice for this question, but it is perhaps the duty, or the prerogative or the penalty of the Chair to have all sorts of points put to me without previous notice and the President is required to take notice of them at once. Honourable members will remember that as regards the irrigation department and other demands coming on the 22nd and 23rd, the office was deliberately kept open on the 20th March in order to take notices of motions. But honourable members will also bear in mind the fact that these notices do throw a certain amount of strain on the office and Sunday is not a working day. Notices received on that day cannot reasonably be taken to be in time. But in view of the circumstances related by the honourable member for Budaun, I hope the House will give him some indulgence, and if it is possible no objection will be taken on this score. Technically speaking these were not in time. Although the rules say notice must be given two days before the discussion, still Sunday not being a working day cannot be counted, but in view of what the honourable member has said (although I regret that it must be ruled out of time) I hope the Hon'ble the Finance Member will not object if he can help it.

**The Hon'ble Sir Sam O'Donnell :** I do not wish to press my objection. My only reason for objecting is that it must be remembered from our point of view that we have to look into these various items and find out if possible what they are about. That is why we need notice. We have to answer and must have time to find out. I do not know what the motion is about, but in view of the statement I am very glad to withdraw my objection.

**Pandit Bhagwat Narayan Bhargava :** I beg to move a substantive reduction by Rs. 5,000 of item concerning (4) supplies and services, F—Forest charges, under sub-head "management of Government estates." If the honourable members will turn to page 145 of the Detailed Estimates and look to the figures under "supplies and services" they will find that this year there is a provision of Rs. 45,000 under "supplies and services". That is just Rs. 5,000 above the revised estimates for last year. The Government might say they are demanding Rs. 1,000 less than the estimate for 1926-27, but the point to see is not what provision was made in a particular year but what was actually required for expenditure. We certainly find that the provision for the budget in 1926-27 was Rs. 45,000 but the revised figures come down to Rs. 39,000. The other point to be considered is that the expenditure under sub-head "supplies and services" has been going up year after year. In the actuals of 1925-26 it was Rs. 25,706. This means that expenditure has gone up by something more than Rs. 18,000. No reasons are available for us on which we may form our opinion as to how this expenditure was increased. I ask the honourable members to see whether it is reasonable or not to make a cut of Rs. 5,000 under this sub-head when we see not only that expenditure is more than the revised figures for last year but that it has gone up by more than Rs. 18,000 from the year 1925-26 as well as from that in other previous years. In 1923-24 and 1924-25 the expenditure was only about Rs. 25,000. So that it is very clear that without sufficient reasons the expenditure has gone up very much under this sub-head, and I hope it will be considered reasonable to make a cut of Rs. 5,000 under this sub-head.

**Mr. E. A. H. Blunt :** As far as the earlier years are concerned up to and including 1925-26, the reason of the increase is simply that where there was only one scheme before, namely, in the Tarai and Bhabar estates, there are now two, the other being in Dudhi (Mirzapur district) the expenditure for which was voted last year and consequently approved by the Council. As for the excess over the revised, I really cannot explain why the revised has gone down. They have perhaps over-estimated last year, or they found themselves unable to spend as much as they wanted to spend. I do know that Rs. 44,000 is based on their demand. It is always unwise to interfere with forest expenditure, because forest expenditure produces revenue, and if I remember aright we are budgeting for a larger revenue under forests in these estates than we did before. Still if the Council will agree that if we want this money later we can come back with a supplementary estimate, I shall be prepared to accept this cut of Rs. 5,000.

**Pandit Bhagawat Narayan Bhargava :** I have little to add.

**The Hon'ble the President :** The question is that the item concerning (4) supplies and services, F—Forest charges, under sub-head "management of Government estates" be reduced by Rs. 5,000.

*The motion was put and adopted.*

**Babu Uma Shankar :** I beg to move the omission of Rs. 9,23,742 in item concerning survey and settlement under sub-head "survey and settlement".



This question like many other questions has been discussed threadbare in the last two Councils. It has been agitated not only since the inauguration of the Reforms, but it has been agitated in the pre-Reformed Council by other members, one of them being the late Lieut. Shaikh Shahid Husain.

**The Hon'ble the President :** I do not think the honourable member need go into the whole history of the question over again.

**Babu Uma Shankar :** Very well, Sir. I will give only a very brief history since the inauguration of the Reforms.

In 1922 a committee called the Settlement Committee was formed, and the majority of the members recommended, that the period of settlement should be extended to forty or fifty years; but, Sir, to my regret that recommendation has been thrown into the waste-paper basket. About nine years ago the Joint Parliamentary Committee also laid down that the principles which should guide settlement officers at the time of settlement should be codified, but that recommendation, I think, has also been shelved. In 1924 also a resolution was moved by Khan Bahadur Maulvi Fasih-ud-din that the pending settlements should be postponed and that resolution was carried. In the same year the late Lieut. Shahid Husain moved for the omission of the whole grant and that motion was carried. At that time the Hon'ble the Finance Member said that he would send proposals to the Government of India and that he would consider the question at the time of the passing of the Tenancy Act. But after the passing of that resolution His Excellency the Governor restored the grant by his power of certification. In 1925 also the whole of the grant was omitted, but that was also certified by His Excellency the Governor. In 1926 also the whole grant under survey and settlement was omitted, and that also, as in previous years, was certified with one stroke of the pen by His Excellency the Governor. So this question has been agitated and discussed on the floor of this House or rather in this debating society for about.....

**The Hon'ble the President :** Order, order. The honourable member cannot cast an reflection on the legislature of which he is a member.

**Babu Uma Shankar :** But we are where we were. This is an old grievance of ours. Now from the budget I find that in 1925 the actual figures including voted and non-voted are Rs. 6,25,660 while in 1926-27 the actual figures were Rs. 9,61,000. In spite of our several protests it was increased by about Rs. 3,34,000 and odd. This year also we find in the budget estimate including the voted and non-voted Rs. 10,51,959. There is an increase of about Rs. 90,959. So the Government is anxious to bring as many districts as possible under settlement, while the anxiety of the honourable members seems to be that they want to cut the whole grant. The anxiety of the honourable members may also be seen from the agenda paper supplied to us today. From the agenda paper it appears there are twelve motions for omission either of the whole amount or for a substantial reduction. There are twelve motions, out of which eight are for the omission of the entire grant. Out of the eight honourable members there are three Fajas and one the leader of the Congress party. By moving this motion I simply want that the House will join with me and vote for the omission of the whole grant. I will request honourable members who have given notice for partial reduction to vote for

[Babu Uma Shankar.]

motion. The Government by making surveys and settlement is increasing the rent and revenue of every district. In my own district of Fatehpur, which, in the words of Lord Meston, is the poorest district in the whole province, in the last settlement there was an enhancement of about two lakhs, by which many of the zamindars have to pay about 70 per cent. of the rent. So only 30 per cent. of the rent remains with the poor zamindars. During the last settlement the rent of the poor tenants was also enhanced to a very considerable extent which has resulted in their poverty. Therefore this question is important, not only from the point of view of the zamindar but also from the point of view of the tenants. The Government in reply to the previous debates has been saying that the question will be considered at the time of the passing of the Tenancy Act. Last year the Tenancy Act was passed and after that the Land Revenue Bill was also introduced. At the time of the discussion of the Land Revenue Bill non-official members wanted that the period of settlement should be extended to fifty years. But it did not suit the purpose of the Government, and so that Bill was withdrawn. After this several questions were asked, and from the replies given to us it seems that the Government has no mind to re-introduce that Bill. After the passing of the Tenancy Act the zamindars cannot sue for enhancement of rent after ten years. They will have to wait for twenty years. Under the circumstances it was but fair for the Government that the period of settlement should have also been extended to sixty years; but they paid not the slightest attention to the very moderate demand of the non-official members of the House that the period of settlement might be extended to fifty years only. As a matter of fact, if I had been in the Council at that time, I would have demanded a permanent settlement. However it be, the Government paid no heed to the most modest request of the non-official members. With those few words I commend the motion to the acceptance of the Council.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I rise to support the motion which has just been moved. I need not go into the history of the question, as it has often been repeated in this House. The question of the extension of the term of settlement as well as the codification of the settlement rules was pressed home to the zamindars and became very acute as the economic value of the rupee went down and the condition of the zamindars and the tenants alike became worse and worse day by day. The tenants wanted protection from the zamindars, and the latter consequently sought protection from the Government. During the Great War the zamindars and the tenants rendered invaluable service to the Government in the hope that they would get something in return. But nothing was practically taken into consideration even on that account. On the question of settlement, the Joint Parliamentary Committee itself says, in part V, paragraph 11, as follows:—

*"The committee are impressed by the objections raised by many witnesses to the manner in which certain classes of taxation can be laid upon the people of India by executive action without in some cases any statutory limitation, and in other cases inadequate prescription by statute of the method of assessment. They consider that the imposition of new burdens should be gradually brought more within the purview of the legislature and in particular without expressing any judgement on the question whether land revenue is a rent or a tax, they advise that the process of revising the land revenue assessment ought to be brought under closer regulation by statute as soon as possible."*

**The Hon'ble the President:** May I point out to the honourable member that he promised to be brief, and not to relate the whole story?

**Rai Bahadur Lala Mathura Prasad Mehrotra:** It was in pursuance of the recommendations made by the Joint Parliamentary Committee that the Government set up a committee with a view to codify the settlement rules. Then followed the Oudh Rent (Amendment) Act, which was accepted by the taluqdars with fixity of tenure to tenants. When there came the turn of the zamindars to ask for identical concessions from the Government, they were told that they might wait till the passage of the Agra Tenancy Bill. The Hon'ble the Finance Member, while introducing the Bill stated the settlement policy of the Government in the following sentences:—*"Revenue and tenancy policy, Sir, are closely connected. They are concerned with questions which, though technically distinct, are after all aspects of a single policy, and, as honourable members will have realized by now, our tenancy proposals had an important bearing on, and were closely bound up with, the provisions of the Bill to amend the Land Revenue Act. For that reason we decided that both Bills should be brought before the Council at the same time."* The Agra Tenancy Bill was taken up first and the Land Revenue Bill later on. The Government were successful in their tactics and manoeuvring and they got through the Agra Tenancy Bill according to their wishes. When the Land Revenue Bill was taken up, they were not prepared to grant the concessions that were expected from them. The Hon'ble the Finance Member invited some of the landlords in a private conference to point out the fundamental points on which the Government were not going to yield. Some of the points were...

**The Hon'ble the President:** The honourable member should not refer to the proceedings of a private conference unless he has taken necessary permission of the persons concerned. The conversations were meant for only those who were taken into confidence.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I was also one of them, and they were already disclosed when the Bill was withdrawn. As the discussion on the Land Revenue Bill went on, the number of fundamental points multiplied. At first they were only two or three but later on they came to about a dozen. On every point the Government threatened that they were not prepared to yield and they would withdraw the Bill. We yielded reluctantly on several points. We, however, stuck to one point alone to assert the will of the legislature over the executive, and that was not of a very great importance. We stuck to a point, Sir, which was the recommendation of the select committee that the percentage of assets should be 35 per cent. but the Government wanted 40 per cent. The Government had loopholes everywhere in other sections and they could easily make up 40 per cent; but, Sir, they were not prepared to budge an inch. When the Bill came before the Council for reconsideration that point was pressed again. After the announcement of the division, the Hon'ble the Finance Member got up and said that he was not going to proceed with the Bill, and it was withdrawn. I am glad that they have issued rules embodying almost the same principles that were in the Bill, but that is not the proper way. The rules should be codified into law and the executive should be under the legislature. Under the rules we are not empowered

[Rai Bahadur Lala Mathura Prasad Mehrotra.]

to point out anything to the House; while if the rules are codified we will have every right to point out the mistakes and the high-handedness of settlement officers. The rules are subject to any modification they like or even can be changed or withdrawn according to the requirements of the time, but the laws cannot be treated so without the permission of the Legislative Council. The settlement officer has been allowed to assess according to his desire, he can even raise the percentage to 100, though the Bill allows only 40 per cent. We are not at all satisfied with the manner in which the Bill has been withdrawn. We were under the impression that sooner or later the Bill was going to be introduced again. But it was only on March 4 that an honourable member of the House put a question to the Hon'ble the Finance Member. The question was: "Does the Government intend to re-introduce the Land Revenue (Amendment) Bill in the Council? If so, when? If not, why not?" The answer of the Government was:—"The answer is in the negative. The Government have already made changes in the settlement rules which give the landlords the *substantial concessions offered by the Bill of last year*, and they do not recognize any obligation to *re-initiate legislation which is not administratively needed*." We beg to differ emphatically from the view that has been expressed in the reply of the Hon'ble the Finance Member. The landlords think that it is of paramount importance not only from the administrative point of view but from every point of view, that the Land Revenue Bill should be brought on the Statute book. I therefore assert that the Government disregarded the wishes of the landlords and failed to fulfil the obligations imposed upon them in view, of the concessions given in Tenancy Acts by withdrawal of the Bill and that they should re-introduce it at an early date to bring the Bill on the Statute book.

**Khan Bahadur Maulvi Fazl-ur-Rahman Khan:** I rise to support the motion and to give vent to my feelings of dissatisfaction with the manner in which the revenue is assessed. India is an agricultural country. The bulk of its population depends on agriculture for its maintenance. If we study the different classes of taxation in this country we will find that the land is most highly taxed. The result is that the cultivators are leading the life of paupers. Those who desire to improve the condition of the tenantry and the land-owning classes must insist on the reduction of this abominable tax. I admit that it is the chief source of the income of Government, but, Sir, there should be a proper way of deriving income without unduly affecting any particular section. In this country, there are two classes of tax which are mainly responsible for the income of Government. They are land revenue and income-tax. We find that the land revenue is assessed at the rate of 50 per cent. and in most cases at the rate of 45 per cent., while income-tax is assessed at the rate of one anna and six pies or two annas per rupee. The super-tax also is not more than 25 per cent. I do not understand the reasons which led the Government to bring into existence this invidious distinction between land revenue and income-tax. It is a matter of common knowledge that money-lenders do the least labour. A man lends Rs. 500, sits quietly at his house and does no work at all and derives an income. His income is assessed at the rate of two annas, three annas or, at the most, at the rate of four annas per rupee, while the landlord who has multifarious duties to perform has to pay a tax at the rate of 50

per cent. This is cruel. The burden of this tax, I mean land revenue, falls on the cultivator. The money is realized from the cultivator. If the landlords are taxed at the rate of 50 per cent. they charge their tenants at a very abnormal rate. The Government was asked to abolish land revenue and to enforce a uniform tax on circumstances and property. But the Government would not listen to that. Now, Sir, the Government was asked to introduce into this province permanent settlement. The Government paid no heed to this reasonable demand. The reasons which would have justified the introduction of permanent settlement in these provinces were very strong. The early history of the British rule in this country convinces everyone who is cognizant with that history that in the beginning there were short-term settlements which extended to six, eight or nine years. The result was that in every year there was famine in some part of the country. Special officers were appointed. They went from village to village, held complete inquiries and submitted their reports. In those reports, Sir, you will find that permanent settlements were recommended. These reports were accepted by the Home Government in part and permanent settlement was introduced in Bengal, and it was stated that the system would be extended to other provinces as well. Later on we find a change in the policy, because it was thought that the system militated against the progress of agriculture and that permanent settlements were likely to make the people indolent. These considerations are patently absurd. We, however, yielded and we asked the Government to increase the term of settlement from 30 to 50 years so that it may be possible for the tenants as well as the landlords to know their exact position. Promises were made that the period would be increased. Those promises were made, Sir, on the floor of this House as well as on the heights of Naini Tal, but I regret to say that those promises have not been fulfilled. Probably the Government thought that it should base its policy on an Urdu hemistich which runs as follows:—

وہ وعدہ ہی کیا جو دنا ہو گیا

My learned friend Mr. Mehrotra has just referred to the unpleasant happenings at Naini Tal. They are certainly regrettable. We relied on the express promises of Government and we lent a helping hand to Government in passing the Tenancy Bill, but, Sir, the attitude of the Government entirely changed after the Tenancy Bill was put on the statute book. I may also say that long-term settlements have been recommended by many writers.

**Khan Bahadur Maulvi Fasih-ud-din:** On a point of order, Sir. Are we discussing a token motion or a motion for a substantive cut?

**The Hon'ble the President:** The motion before the House is for the total reduction of the demand, and this is the only place where the policy can be discussed. I hope the honourable member will not take long.

**Khan Bahadur Maulvi Fazl-ur-Rahman Khan:** Many writers and economists have recommended long-term settlements. I may cite the name of Romesh Chander Dutt in his admirable book . . .

**The Hon'ble the President:** The honourable member has gone too far back: let him come to the immediate past and the present.

**Khan Bahadur Maulvi Fazl-ur-Rahman Khan:** My second quarrel, as I stated in the beginning, was about the rate of settlement. Promises were made to reduce the rate also. These promises also proved hollows. I remember that the Council at Naini Tal carried an amendment reducing the rate of revenue from 40 to 35 per cent. This irritated the Government and the result was that the Revenue Bill was withdrawn. Now, Sir, it can be urged on behalf of Government that all these principles have been embodied in the settlement rules. In the first place these rules do not give full expression to the well-considered opinion of this assembly. In the second place, rules have no stability. They are at the mercy of Government. They can be withdrawn any moment the Government likes: an Act cannot be withdrawn without the sanction of this House. This is the difference between an Act and the rules.

There is yet another thing worthy of notice. We represented to the Government on many occasions that the extension which was to be allowed in the term of settlement ought to be applied to the present settlement also. The Government turned a deaf ear even towards this most reasonable and legal request. Now, under these circumstances, I do not think the honourable members of this House would like to have any settlement. For these reasons I support the motion of my honourable friend and would ask the House to accept it.

*The Council then adjourned for lunch.*

*After the recess—*

**Rai Bahadur Babu Mohan Lal:** I had a mind to speak on this motion when the token cut was to be moved, but in view of the pronouncement made from the Chair that this is the proper place where the policy and everything connected with settlement can be discussed, I make bold to stand up and speak on this motion.

**The Hon'ble the President:** I said that a token cut could be moved.

**Rai Bahadur Babu Mohan Lal.** I strongly support the motion made by the honourable mover. This is a question upon which all the members of the House should unite and present a united front against the Government. The question of life and death of the people of India and especially of these provinces is concerned with this question. It is a well-known fact that this province is mainly an agricultural province; the fecundity of the soil is daily decreasing and the population has so much increased that very little land is left uncultivated. The sources of manure have palpably decreased and the productive power of the land has therefore lessened; and at all these frequent settlements there has been so much enhancement in land revenue that the rents have gone up three times and at some places even four times. Now it is beyond the power of the tenant to pay any extra rent over and above that which they are already paying, and at every settlement the revenue is bound to be increased. There is no chance of its being decreased. Therefore, it is now high time for the Government to look to the needs of the zamindars and specially to the tenants. If any increase in revenue is made, the burden would fall naturally upon the tenants. No zamindar can be so merciful to the tenants as not to increase the rent when the revenue is enhanced. Therefore ultimately

the burden would fall upon the shoulders of the tenants. If we go to the villages we can very well realize the position of the tenantry. They are emaciated, they are not getting full diet, their health is bad and in every way their condition is most deplorable, both economically and physically. Therefore, we should adopt such a policy as may be beneficial to the tenants in the end. There was a time when the Government stood in very great need of men and money during the Great War and it was the zamindars who came forward to support the Government in their crisis. The zamindars have been a very valuable asset of help to the Government on all occasions, and even now it is the zamindars who always stand by the Government when their help is required. No class of people in this province has been more loyal to the Government than the zamindars. They are called the creatures of the Government and are always ready to be faithfully loyal to the Government. Now it is just the time when the Government should show sympathy to their children, for which they have been clamouring so long. Now all the stages through which this revenue policy has passed, have been fully discussed and mentioned by the previous speakers. It is needless for me to recapitulate all those stages. It is said that the Government has embodied all the settlement policy in the rules. We all know that the rules are only administrative rules and can be changed any time at the sweet will of the Government and if they are embodied in an Act of the Legislature then the power of the Government will no longer remain to change them when they pleased. Consequently the rules can be no consolation to the zamindars in the matter of the settlement and revenue policy. Unless there is an Act of the Legislature, there can be no force, no stability, in the maintenance of those rules. If the Government were really willing to help the zamindars in the matter of settlement, in accordance with the promises they have made from time to time, they ought not to grudge putting those rules in the Statute book. In answer to the question that was put to the Government, they gave us no hope that the Revenue Bill would be introduced in the near future or at all. This attitude of the Government is most discouraging. This is the proper time when we should show our protest against this attitude of the Government by supporting the motion for the entire cut under the head. By making a motion for a token reduction, we would be simply showing our resentment, but that resentment and protest cannot be so strong as if we cut away the entire sum provided under this head. Therefore, we should make our protest against the Government by moving for the entire omission of the demand under this head.

**Lieut. Raja Durga Narayan Singh:** I had a similar motion in my name, but, instead of moving my motion, I will say a few words on the motion now before the House. Sir, it is really a pity that we have to bring every year such motions to cut the demands under the head "Survey and Settlement." When the Tenancy Bill was presented before the Council, it was clearly stated by the Hon'ble the Finance Member that the two Bills—the Tenancy Bill and the Land Revenue Bill—will be discussed together and they will be decided together. Well, on this hope, the zamindars in this House, big and small, thought that they would be benefited by the Revenue Act if they gave concessions to the tenants. O

[Lieut. Raja Durga Narayan Singh.]

understanding the zamindar members of the late Council agreed and freely gave full rights to their tenants ungrudgingly, but when the Tenancy Bill was passed then we saw another drama, and that was that the Land Revenue Bill was finally withdrawn. There was only one point which made the Government to withdraw that Bill. As it was stated by the previous speakers, the zamindar members wanted with one voice that the Government should not assess more than 35 per cent., while the Government pressed 40 per cent. Well, Sir, I will go so far back as the year 1901, and I find in the debate that took place then that the Hon'ble Lala Nihal Chand said in his speech in clear terms that the Government should not assess more than 25 per cent. Well, in those days as there were only eight non-official members and ten official members, the resolution was not carried. He further urged that the rules should be so framed that the settlement officers may not be able to do any high-handedness in the district. That was also not listened to at all and the result was that in the last settlement of Muttra, the settlement officer has done much wrong to that district. Thanks to the Government it was redressed afterwards. But why should the Government worry so much if once for all a rule is made on that account? I find in the budget a new post of a Settlement Commissioner. That post is a newly-created post. In the year 1926-27 there was no such Commissioner in the budget, but now I find that there is a provision for one Commissioner. I do not know for what reason the Government wants to have a Commissioner for settlements.

Now, Sir, at Naini Tal it has been said enough that the zamindars and the tenants have rendered valuable services to the Government. I need not dwell on this subject at this late hour, but I only wish to draw the attention of the Hon'ble the Finance Member to carry the sense of this House to His Excellency the Governor that we the representatives of the zamindars, big and small, wish that this Act should come into force as early as possible and if our request is not acceded to, I am sorry to say that zamindars will not be satisfied with less than what they demanded at Naini Tal. Considering this, I hope the Council, to indicate its resentment, will not vote for this item.

**Khan Bahadur Hafiz Hidayat Husain:** There is also a motion in my name, but, instead of moving it, I will speak on the motion before the House. Such, Sir, is the constitution under which we serve and such is the irony of fate that whether we adopt a token cut or adopt a substantive cut, on this particular demand, the position of the Government remains unalterable. Accept this demand in full as the Government desires it or reject it as all those of us who have given notice of substantial cuts desire it, the Government remain unaffected. Therefore it is immaterial whether I move a substantive cut or support the motion before the House or move a token cut. I prefer to speak on the motion before the House.

As has been pointed out by my friend the honourable member for Fatehgarh, the Hon'ble the Finance Member stated when he introduced the Tenancy Bill and the Land Revenue Bill last March twelve months ago that these two Bills were so much intertwined one with the other that they were complementary to each other and must be passed together.



The net result of our deliberations at Naini Tal, however, was that the zamindars were losers by 90 per cent; the Government gained substantially by the withdrawal of the Land Revenue Bill and the tenants remained as dissatisfied as they were before. Sir, it is painful for me to review the history of the events that culminated in the Tenancy law at Naini Tal last July and I must desist from referring to that, but I cannot refrain from pointing out to the Government the great disappointment, the great resentment, that is being felt throughout the land, by the zamindars, over the action of the Government in wresting from their hands the gains and restoring to them the loss that they had wilfully sustained to secure those gains. That, Sir, is the net result of our achievements at Naini Tal July last.

With regard to this particular demand that is before the Council I wish to mention, with your permission, a few points on which I base my motion for refusal. The first is that it has been stated by the Hon'ble the Finance Member that the Government does not feel constrained to bring in the Land Revenue Bill again because all the advantages that the zamindars could have got under the Land Revenue legislation have been given to them under the rules. This is not the time to analyse the rules in any detail; but could the Government say that rules and statutes have identical advantages. The rules can be changed at any time by executive authority; a Statute cannot be so changed. The rules derive their authority from the executive; an Act derives its authority from the Legislature; and therefore the rules cannot have the same continuity as an Act of Legislature. Consequently, it is the unmistakable desire of all the zamindar members of this Legislature and zamindars outside that an Act must be brought into being to regulate the idiosyncracies of the executive and, the Bill not being re-introduced, the zamindars feel and feel it rightly that they have got a just grievance against the Government. There is no other occasion for the ventilation of that grievance except an occasion like this, and although I do feel that the net result of all this is that the indomitable will of the Government will restore the *status quo ante*, I feel that I shall be lacking in my duty to myself and my constituency if I fail to voice the strong feeling of resentment that is being felt throughout this province at the attitude of unsympathetic imagination that the Government adopts in this matter so vitally affecting the zamindars.

Then let me draw the attention of this House in particular to the action of the Government when they withdrew the Bill. It will be in your remembrance, Sir, that three things were said to be the basic principles of that Bill. I will not refer even to them; I would only say that the Council made an unimportant amendment on allowances for *sir*, we raised the figure of *sir* allowance from 25 to 30 as maximum, but the Hon'ble the Finance Member withdrew this Bill on this one point which was not a matter of vital importance, but because he found that the House was not minded to register the decree of the Government with its eyes shut.

Then Sir, the third point relates practically to the first point, that of the period of settlement as embodied in the rules. The honourable member for Fatehpur has stated that had he been in the last Council he would have asked for a permanent settlement. Well may the honourable

[Khan Bahadur Hafiz Hidayat Husain.]

member ask for the moon. To the question of permanent settlement we gave our close and earnest attention, but came to the conclusion that permanent settlement was beyond the pale of practical politics. As responsible men we asked the Government to extend the period of settlement consistently with the interests both of the zamindars and the Government. The Government, however, did not budge one inch from the position they had taken up, they threatened us with withdrawal if we insisted, and the Bill was, as a matter of fact, withdrawn because we could not but insist for extension of the term. If it were permissible, Sir, to visualize before the House the successive stages responsible for the passing of the Tenancy Bill and the withdrawal of the Revenue Bill I might, firstly, refer to the professions of confidence in which it was stated that the Tenancy Act will be a step forward in the amelioration of the condition of the tenantry and would be a great element in cementing good relations between zamindars and tenants. My own experience, as a zamindar and lawyer, is that the Tenancy Act, introduced in 1926, does not redound either to the credit of this Legislature or of the Government.

**The Hon'ble the President :** That is not the issue before the House.

**Khan Bahadur Hafiz Hidayat Husain :** Then I leave those points here, but will or can Government contemplate with equanimity zamindars being wiped out altogether on account of the stringency of settlement. The vigour of the settlement is such that zamindars have nothing to fall back upon in times of stress, their hereditary holdings are absolutely vanishing. May I appeal to Government to consider this matter again in a more sympathetic manner and to bring that Bill in the form in which it emerged from the select committee, or, in any case, will it extend the period of settlement which it could do under rules framed under Act III of 1901? And, unless and until this is done, unless and until Government does stretch a hand of succour to the zamindars, personally I do not think we shall be justified in allowing any demand under the head "Settlement and survey" to Government. That is the only possible way to show our resentment, and I think the Council ought to voice, in unmistakable terms, the feeling of resentment for which this policy of the Government is responsible.

**Thakur Bikram Singh :** I rise to give my whole-hearted support to the motion of the honourable mover. The Government's action in withdrawing the Land Revenue Bill caused serious dissatisfaction among the unfortunate class of zamindars. My object in supporting the motion is to draw the attention of the Government to the necessity and propriety of re-introducing the Land Revenue Bill. The settlement rules promulgated by Government do not serve the purpose, which only legislation can do. We invite the attention of the Government to our legitimate grievances in the matter of extension of the term of settlement. Sir, I earnestly request honourable members of the House to take into their sympathetic consideration the pitiable, rather most pitiable, condition in which the landlords at present are. It is, indeed, a critical time before them, full of anxieties for the future. After all we, the landlords, belong to this country and have always been loyal to the British Raj. Also I should like the Government to know that when we are expected to

support the Government whenever any help is needed I am sure Government can never accuse us of having held back. I see no reason why Government should not come forward to help us and accept our reasonable request, especially at a time when we are in such a deplorable condition. Sir, this is an agricultural province, as my honourable friend, Rai Bahadur Babu Mohan Lal, has pointed out. I am sure it is well known to this House that agriculture is the only thing which can improve the well-being of the country. I never mean to harm the interests of the tenants, and I never mean that the interests of tenants should in any way be overlooked. I fully sympathize with the tenants, but I may be allowed to extend my sympathies to the zamindars as well. I hope honourable members of this House do not disagree with me. I would request the Hon'ble the Finance Member to convey our unanimous desire to His Excellency the Governor and to re-introduce the Land Revenue Bill. And while I ask the Hon'ble the Finance Member I am sure I shall have the sympathy of the House also so far as my support is reasonable and to the point as I believe it is. My honourable friends have already explained to you and to the members of the House, Sir, the great desire and necessity of re-introducing the Land Revenue Bill, and with my few words of request I resume my seat.

**Khan Bahadur Lieut. Nawabzada Abdus Sami Khan :**

جناب پریسیڈنٹ صاحب :—

کونسل کے بہت سے ریژولوشن کے بعد اور جو آئینٹ پارلیمنٹ کی کمیٹی کی سفارش پر یہ Revenue Bill کونسل کے سامنے لایا گیا۔ لیکن نتیجہ یہ ہوا کہ تھوڑے سے اختلاف باہمی پر اس کو واپس لے لیا گیا۔ آئنا بیل میمبرس honourable members کو یاد ہوگا کہ یہ دینوں قانون یعنی آگرہ رینٹ ایکٹ Agra Rent Act اور ریونیو بل Revenue Bill لازم و ملزوم تھے۔ مگر نتیجہ کیا ہوا کہ ایک قانون بن گیا اور دوسرا واپس لے لیا گیا۔ میری رائے میں اس دوسرے قانون کا بنانا ضروری ہی اس لیے کہ آج تو آئنا بیل فائننس میمبَر Hon'ble Finance Member نے اپنی مہربانی سے اسے بنا دیا لیکن آئندہ جو Hon'ble Finance Member تشریف لائے اور انھوں نے اس سے زیادہ مہربانی زمینداروں پر فرمائی جیسے کہ فرماتے چلے آئے ہیں کہ یہ تھیک نہیں ہی تبدیل کر دیا جائے تو ان کو ہر وقت اختیار ہوگا۔ اور اگر یہ بل کہ شکل میں آگیا تو یہ ممکن نہ ہوگا اور زمینداران کی موت اور زندگی Government کے ہاتھ میں نہ رہیگی۔ یہی وجہ ہے کہ جو میں اس تھیک سے اتفاق کرتا ہوں \*

**Lala Nemi Saran :** There is a motion in my name, to the same effect as that moved by my friend Babu Uma Shankar Sahib, but I will content myself by speaking to the motion and giving my support to it. If I rise to give support to this motion it is as a matter of protest against the callous manner in which the Hon'ble the Finance Member has treated the reasonable demands of this Council and of the zamindars of this province by withdrawing the Land Revenue Bill in the Naini Tal session refusing to re-introduce it when requested to do so. Sir, that during the Naini Tal session we tried our level best to

[Lala Nemi Saran.]

ourselves to the wishes of the Hon'ble the Finance Member in withdrawing our amendments one after another which were to be moved to the Land Revenue Bill which was then pending before the House. We withdrew all the motions in the name of the non-official members, except one, which we wanted the Hon'ble the Finance Member to concede to us in lieu of the courtesy we had shown; and that was about the proportion of the revenue which the Government should demand from the zamindars. The Hon'ble the Finance Member was so persistent that he would not move down from 40 per cent. to 35 per cent. as the House desired. As far as the merits of 40 per cent. and 35 per cent. are concerned, I believe this is not the time when I should go into the detailed merits of that question; but, as a passing reference, I may remind the Hon'ble the Finance Member that he is very fond of expert opinion, to which he gives due weight, and I would also present him with an expert opinion, and that is the opinion of the Taxation Inquiry Committee. I went through the opinions expressed by the members of that Committee, and they say—I will quote the words of the committee: "In so far as the materials before the Committee afford any indication a standard rate of not more than 25 per cent. is desirable." They say "not more than 25 per cent."—it may be less, but not more. With that opinion before us I cannot see how far the Hon'ble Finance Member was right in reading our demand for 35 per cent., which is 10 per cent. more than the 25 per cent. recommended by the Taxation Committee, as an attitude of unreasonableness. Sir, the first question I had sent to this new Council was about this point—the re-introduction of the Land Revenue Bill. It was replied to by the Hon'ble Finance Member on the day on which he presented the budget, the 4th March, 1927. I would like to read the question before . . .

**The Hon'ble the President :** It was already read by Mr. Mehrotra.

**Lala Nemi Saran :** I am sorry I was not here at the time. I would only read the relevant portion of the answer to which I would draw the attention of the House. The Hon'ble the Finance Member says: "Government have already made changes in the Settlement rules which give landlords the substantial concessions"—I want to draw the attention of the House to the words "substantial concession"—offered to them last year." Secondly, he says that they do not recognize any obligation to re-initiate legislation which is not administratively needed. These are the two statements made by the Hon'ble the Finance Member. As to the first statement, I want to draw the attention of the Hon'ble the Finance Member to the rules to which he has alluded in this answer. The rules, as far as the period of settlement is concerned, do not carry us any further. The rule says—I am reading from the *United Provinces Gazette* of March 19, 1926-27. Rule 15 which pertains to the term of settlement says:—"The settlement officer shall frame the assessment on the understanding that the term of settlement will be that usually sanctioned by Government in these provinces." As far as I know, as far as my experience goes, the term that is usually sanctioned by Government is 30 years, and not 40 years. One of the main concessions which was given to the zamindars in the Land Revenue Bill introduced at Naini Tal was that the term of future settlements shall be 40 years. The Government has more times than one promised to this House that, as far as the future

settlements were concerned. they were quite prepared to accept the contention of the House that there should not be a period of settlement for less than 40 years. But I think—the Hon'ble the Finance Member has got to tell me yet—that there is something more which I ought to know by which he means that the term proposed is 40 years. Unless it is so, I believe, one of the substantial concessions expected of him is not in the rules. The Hon'ble the Finance Member would kindly explain it. And then we will know where we stand.

I may further say that there is vast difference between the rules framed and the Bill that was brought before the House and the amendments which were accepted by the Government before that Bill was withdrawn. I went through these rules, but I do not find any mention of any rule giving to the Council an opportunity to discuss the position of a district before settlement is sanctioned for that district. As far as other things are concerned, all those rules which are framed to regulate procedure if they would have been embodied in the Act would naturally have greater force and would have given better chances to the zamindars to safeguard their rights. Moreover, these rules are liable to any changes at the sweet will of the Executive. As far as the second statement of the Hon'ble the Finance Member that he is under no obligation to re-initiate the Bill goes, I will only remind him that, although that obligation may not be statutory—it may not be written in any law in black and white in any statute ever passed by this Council or by the Governor General's Council—yet, as far as the pronouncement of the Joint Committee of the House of Lords and House of Commons to that effect is concerned, I think he will give respect to that pronouncement of the committee that he ought to give a responsible member of the Government, and therefore I think he is under a moral, if not under a legal, obligation to re-introduce this legislation in this House.

I do not want to take any more time of this Council on this question, which has already been discussed so much. But I would like to give only one note of warning to my zamindar friends. My honourable friend, Thakur Bikram Singh, said that they had always been loyal to the Government, that they had always unflinchingly given their support to the Government in season and out of season in matters in which the Government wanted their support. Well, Sir, I would remind my friend in this connexion of the adage that God helps those that help themselves. The Government constituted, as it is of the heaven, born service, primarily only follows the rule, viz., that the Government helps those who help themselves. If the zamindars have the stamina in them to put their weight on this Government then certainly they can extort a promise from the Hon'ble the Finance Member that he will re-introduce the Bill in the next session of the Council. If they are not in that position, if the Hon'ble the Finance Member still remains stiff without acceding to their request, I think they will turn to other constitutional and unconstitutional methods if I may say so—and obstruct the Government as much as they possibly can in this House.

**Raja Shambhu Dayal :**

جناب پریسیدنٹ صاحب :-

آج ہندو بست کا جو مسئلہ اس کونسل میں پیش کیا گیا ہے وہ یہ ہے۔  
9,23,742 روپیہ کا صفہ منظور کیا جاوے اور Out یہ ہے کہ کل صفہ نامنظور

[Raja Shambhu Dayal.]

کیا جاوے۔ گذشتہ جولائی اور اگست میں Land Revenue Bill فیملی تال میں پیش ہوا تھا اور وہاں سے کونسل ختم کر کے جب ہم گھر لوٹے تو بہت اعزاز و احباب اکٹھا ہوئے اور فرمایا کہ فیملی تال کا حال بتلاؤ۔ میں نے کہا کہ سنیڈ کسی طرح گوتے پڑتے مالیہ کی چوٹی تک پہنچے۔ کونسل کی دھواں دھار تقریبیں سنیں بہت سی کسپیاں توڑ آئے۔ نیندا دیدی کا دشمن کہ آئے بہت سی چھڑیاں بھی خرید لائے اور وزرا صاحبان کی دعوتیں کباٹیں سل ڈاڑیا ہو گیا۔ سیکڑوں دست آئے۔ انہوں نے فرمایا کہ یہ تو آپ اپنا قصہ کہہ رہے ہیں کہ بیٹے ہمارے بندوبست کے لیے آپ کوں سے حقوق لائے۔ میں نے کہا کہ کیا اس کو آپ لوگ غنیمت نہیں سمجھتے ہیں کہ خیریت سے گھر لوٹ آئے اور جان بچی لاکھوں پائے۔ پڑوسی ہوئی تھالی ہمارے سامنے رکھی ہوئی تھی جیوں ہی ہم نے ہاتھ بڑھایا کہ کھینچ لی گئی اور ہمہ ناگہ ۲۰ فٹ بل واپس کر لیا گیا۔ ہم زمینداروں کی اس وقت عجیب position ہو رہی تھی۔ ایک طرف قوم پرست یہ کہتے ہیں کہ سب سے زیادہ انکما فٹہ زمینداروں کا ہے جو ہمارا ساتھ نہیں دیتا ہے گورنمنٹ کی غلامی میں لگا رہتا ہے اس وجہ سے ہم لوگ ملک کی کوئی بھلائی نہیں کر سکتے۔ دوسری طرف گورنمنٹ ہم سے جب اس کو ضرورت پڑتی ہے تو روپیہ کی امداد لیتی ہے۔ فوجی امداد لیتی ہے اور اوت کی بھی امداد لیتی ہے لیکن جب ہمارا موقع آتا ہے تو گورنمنٹ ہمارے لیے کچھ بھی نہیں کرتی ہے۔ ہماری یہ حالت ہے کہ۔

نہ خدا ہی ملا نہ وصال نہ اُدھر کے رہے نہ اُدھر کے رہے  
کئے دونوں جہان کے کام سے ہم نہ اُدھر کے رہے نہ اُدھر کے رہے

جب یہ بندوبست کا بل واپس لے لیا گیا تھا تو بہت سے صاحبان نے ہم کو یہ ترغیب دی تھی کہ آؤ ہمارے ساتھ ملکر کام کرو اور گورنمنٹ کو شکست دیکر اپنے حقوق حاصل کریں میں نے کہا کہ۔

عمر تو ساری کٹی عشق بٹان میں مومن  
آخری وقت میں کیا خاک، مسلمان ہونگے

اس وقت چونکہ ہم کو نقصان پہنچ گیا ہے اس وجہ سے ہم رنج میں ہو گئے۔

دل ہی تو ہے نہ سنگ خشت درد سے بھی نہ آئے کیوں  
رد بینگیے ہم ہزار بار کوئی ہمیں ستائے کیوں

یہ ہم جانتے ہیں کہ اگر ہم اس خرچہ کو نامعلوم کریں تب بھی گورنر صاحب اس کو certify کریں گے۔ لیکن ہم کو اپنا حال صاف صاف عرض کر دینا چاہیئے اس سلسلہ میں یہ بھی کہہ دینا ضروری معلوم ہوتا ہے کہ جب تک کوئی شخص اپنے پیسوں پر کھڑا نہیں ہوسکتا ہے تب تک اس کی کوئی مدد نہیں کر سکتا۔ خدا بھی اس کی مدد نہیں کرتا ہے۔ میں امید کرتا ہوں یہ out جو متحض Protest کے طور پر پیش کیا گیا ہے اس کو تمام ممبر صاحبان بالاتفاق رائے منظور کریں گے اور لیگل صاحبان سے مل کر یہ

درخواست ہی کہ اب آپ کی دوبارہ زندگی ہوئی ہی اُس کی خوشی میں اُمید ہی کہ آپ لوگ اِس کا Support کریں گے اور سواراجست تو بے غرض محسن ہیں وہ تو ویسے ہی ملک کی خدمت کے لیئے تیار رہتے ہیں میں اُن کے لیئے کیا کہوں وہ تو ضرور ہی مدد کریں گے Nominated ممبر E. Ahmad Shah صاحب سے میٹھی یہ درخواست ہی کہ وہ مسٹر David کے قائم مقام ہیں وہ اُن کی سی کارروائی نہ کریں جیسا کہ اُنہوں نے اپنے ایک ساٹھ سالہ اسہدوں کے درخت کے تجربہ کی بنا پر ہمارے خلاف سارے Rent Act کا فیصلہ کر دیا بلکہ اِس تحریک میں ہماری Support کریں گے - گورنمنٹ سے پھر ہماری یہ التجا ہی کہ اِن تمام معاملات پر کرے کہ آخر ہم لوگ کیا کریں نہ ہم ملک کا سانہ دے سکتے ہیں اور نہ گورنمنٹ سے کوئی اُمید پاتے ہیں - تو آخر کونسا طریقہ ہم کو اختیار کرنا چاہیئے - اِس وقت میں اتنا ہی عرض کر دیتا اِس کے بعد پھر جب موقع آویگا تو بیان کر دیتا - میں اُمید کرتا ہوں کہ میمبران کونسل بالاتفاق رائے بطور Protest کے یہ خرچہ نامنظور کریں گے \*

**Thakur Hukum Singh :**

श्रीमान् सभापति जी,

आज हमारे लायक दास्त आनरेबिल राय बहादुर मथुराप्रसाद ने जो आवश्यक प्रस्ताव इस हाउस के सम्मुख पेश किया है उसकी मैं हटय और पूर्ण सहानुभूति से समर्थन करता हूं ।

The Hon'ble the President :—इस प्रस्ताव को बाबू उमाशंकर ने पेश किया है ।

Thakur Hukum Singh : मैं अपनी भूल के लिये क्षमा मांगता हूं । मैं बाबू उमाशंकर साहब का जिन्होंने इस प्रस्ताव को पेश किया है और आनरेबिल राय बहादुर बाबू मथुराप्रसाद महरोत्रा जी का जिन्होंने इसका समर्थन किया है दोनों महानुभावों का कृतज्ञ हूं । इसके समर्थन में मैं यह प्रार्थना करूंगा कि हम जमीन्दारान को इस बात का पिछले साल में मौका आया था कि हमारे कष्ट के निवारण करने के लिये कोई प्रबंध किया जायगा लेकिन इस आशा को दुराशा में परिवर्तन कर दिया गया । जो Bill Revenue Act का पास हो रहा था पास होते २ उठा लिया गया और हमारे दुःख उसी अवस्था में बने रहे जिसमें वह पहले थे । हम लोग जिस तरह से दुःखित और पीड़ित हैं उसके निवारण की तरफ कोई ध्यान नहीं दिया जाता है । इस अवस्था में हमारे पास और कोई इलाज सिवाय इसके नहीं है कि हम अपने उदार और दयालु Government से नम्रता पूर्वक प्रार्थना करें कि हम इस वज्र के प्रतिरोध ( protest ) के रूप में नामंजूर करते हैं । जब Government अपनी मांग हम से पूरा कराती है तो क्या वजह है कि हमारे मांग को Government न पूरा करे । हम जमीन्दार जब २ Government के ऊपर मुसीबत आती है तब २ हम अपना रक्त बहा कर उसकी सहायता और रक्षा करते हैं । अपनी गाढ़ी कमाई के रुपये से उसकी सहायता करके उसका

[Thakur Hukum Singh.]

पूरा साथ देते हैं तो हमें नहीं मालूम कि हमारी दयालु और उदार Government क्या justification इस बात के लिये रखती है कि इधर तो हम दिन रात उसके लिये प्राण अर्पण करें उधर वह हमें बंदावस्त के ज़रिये से चूसती और कसती रहे। यह देखना है कि उसकी सहायभूति की दृष्टी हमारे ऊपर कैसी है? जहाँ तक मुझे मालूम है हमारे ऊपर इस Government की दृष्टी बहुत क्षुद्र है। हम को अनपढ़ और मूर्ख समझती है और हमारा दबाव उस के ऊपर कुछ भी नहीं है। हमारी सेवाओं का उस के ऊपर कुछ प्रभाव नहीं है। समय २ पर आशा टिलाई जाती है कि इस का प्रबंध किया जावेगा लेकिन हम देख रहे हैं कि हम दिन रात मरे जाते हैं। और दबाए जाते हैं। Government ने जो Land Revenue कायम करने में जो उसूल रखे हैं वह इतना कठोर है कि दुनिया भर के अन्दर कहीं भी कोई टैक्स ऐसा कड़ा नहीं है १०० रुपये में हम ५० रुपये किसी न किसी तरह से Government को देते हैं। हमारी आमदनी का आधा हिस्सा Government के खजाने में चला जाता है। अर्थात् ४० फी सदी मालगुजारी और १० फी सदी अन्वय। इस के अलावे ज़मीन्दारान मुकद्दमात वगैरः के ज़रिये से अपनी सब आमदनी Government का भेंट कर देते हैं और निहायत तंग और तबाह रहते हैं। ऐसी अवस्था में हम अत्यन्त नफ़्ता के साथ उन अहसानात का जो हमने Government के साथ किये हैं रख कर प्रार्थना करें कि वह हम गरीब ज़मीन्दारों की रक्षा करें। इसके सिवा और कोई बात नहीं हो सकती है कि हम मालगुजारी के Act को बनावें और मालगुजारी के उसूल को कायम करें और बंदावस्त के मसल पर गौर करें। कि हमें Government मौका दे कि हम इस मामिले में public opinion को Government के सामने रखें और अपने दुःखों का इज़हार करें। हम काश्तकार और ज़मीन्दार दुःख उठा रहे हैं। हमारे पास खाने का अन्न नहीं है, भूक से पीड़ित हैं, हम लोग अपने बच्चों को तालीम नहीं दे सकते हैं इस लिये मनुष्य नहीं बन सकते हैं। देश का बहुत बड़ा हिस्सा इन्हीं बन्दोवस्तों का मारा पड़ा हुआ है। हम इनको बन्दोवस्त कहें कि कत्ल आम कहें। जब हम यह सुनते हैं कि फ़लां ज़िले में बन्दोवस्त होगा तो समझते हैं कि उस ज़िले का ख़ातमा होगा, क्योंकि ज़मीन हम थोड़ा बहुत ३० वर्ष के अन्दर कुछ लुहार पाते हैं तभी मुसीबत का पहाड़ हमारे सर पर बन्दोवस्त के नाम से टूट पड़ता है इस लिये हम अपनी प्यारी Government से प्रार्थना करते हैं कि हमारे बच्चों को जो उसके लिये रक्त बहाते हैं और उसके कुत्र को रक्षा करते हैं उसकी रक्षा करै उनका खाने का अन्न पहनने का कपड़ा रहने का अच्छा मकान बनाने का मौका दे। जब हम देहात में जाते हैं तो एक भयानक दृष्य हमारे सामने खड़ा हो जाता है हम जब यहां इस कौंसिल में आते हैं तो मालूम होता है कि हमारा देश बड़ा धनवान है हमारे देश के लगे बड़े सुखी हैं। मगर जब इससे निकलते हैं और देहात में पहुंचते हैं तो टूटे हुए मकान नज़र आते हैं काश्तकार लोगों के तन पर फटे हुए बख़्श दीखते हैं वे अपने बच्चों और



परिवार को राटी बांट कर देते हुए पाये जाते हैं क्योंकि उनके पास काफी राटी नहीं होती है कि वह पेट भर खा सकें। इस दशा को देख कर आंखों में आंसू भर आते हैं। और इस दुःख जनक अवस्था को देख कर हम अपनी क्रांती पर पथर बांध लेते हैं और कहते हैं कि हाय Government ने हमारे कल्याण और आराम के लिए क्या किया है? करोड़ों प्रजा चाहि र कर रही है। इससे ज्यादा मैं अब कुछ अर्ज न करूंगा जो भर आता है।

**Mr. C. Y. Chintamani :** May I, Sir, move motion No. 21 ?

**The Hon'ble the President :** Motion No. 21 can only be moved as an amendment to the motion before the House.

**Mr. C. Y. Chintamani :** May not both motions be moved concurrently, and the movers be called upon to reply one after the other ?

**The Hon'ble the President :** Two independent motions cannot be before the House at the same time.

**Mr. C. Y. Chintamani :** Then, Sir, I shall speak on this motion first, and will see later what to do with my own motion.

The curious spectacle has been witnessed this afternoon of members of the Council on this side and on that side making common cause on a subject upon which there has been some disagreement between them, a subject in respect of which if the Governor in Council is to be believed, the lack of sympathy and of agreement between them is complete. This spectacle has only been rendered possible by, among other circumstances, the action of the Government last year at Naini Tal. I remember well the circumstances connected with the withdrawal of the Land Revenue Bill. I remember well the opinion which was expressed in a certain quarter, with which I am not unconnected, on the merits of that Bill—the opinion expressed on merits on the clauses of the Bill, as the Governor in Council wished them to be, and as a certain section of the Council wished them to be amended. But I remember also the opinion expressed in the same quarter on the constitutional aspect of the question. As the House has been reminded by several speakers before me, the Bill was withdrawn by the honourable member in charge on the ground that the majority of the House had amended it in a manner which did not commend itself to the Government of which he was a member.

Now, Sir, the question arises whether the Executive Government or the Legislature should be the deciding authority when in respect of legislation there is a disagreement between the two. That the landlords naturally, as well as public men who are not landlords, are united in demanding for the embodiment in legislation of the main principles that govern settlements, and the land revenue policy has been made evident during these few weeks that the Council has been in session by many a question. The answer that the Finance Member gave to the request for the re-introduction of the Land Revenue Bill was emphatic and curious, but by me, at all events, it was not unexpected. He said in effect :—“The Council did not choose to accept the Bill which was before it last year. We have embodied the main provisions of that Bill in the Board's Circulars, and we recognize no obligation to come before you again with a piece of legislation which is not needed for our administrative purposes.” This in effect and substance is the position which the Finance Member, speaking on behalf of the Governor in Council, took up

[Mr. C. Y. Chintamani.]

reply to one of the questions. In taking up that position the Finance Member has shown a greater regard for the views of the Governor in Council and for the point of view of administrative convenience than for the history of the subject. He has betrayed an insufficient regard for the demand of public opinion which is now many years old, that it should not be at the discretion of the executive Government to promulgate, to amend, to alter, to make and to unmake, the main principles of land revenue policy.

It was as long ago as 1909 that the Royal Commission on Decentralization recommended that these principles should be embodied in legislation. Indian public opinion unanimously supported that recommendation; but the executive Government, as is usual with them, disregarded it and declined to take any action in the matter. The matter was agitated. It was placed before the Joint Select Committee of both the Houses of Parliament by the witnesses who appeared before them, and that Committee, consisting of experienced public men, experienced not merely as unofficial agitators, but experienced in the arts of statesmanship and administration—a committee which included two past Secretaries of State for India, the then Secretary of State, one who had been the Governor-General of South Africa, one who had been the Governor of Bombay and several others—made the unanimous recommendation, not on the ground of administrative convenience, but on the ground of constitutional propriety, that there should be a law in which this policy was embodied and that it should not be left to executive discretion. I am aware that the recommendation of the Joint Select Committee is known to the Government and to many honourable members. I have re-read that passage of the Joint Select Committee's report, and I find that with clear judgement and emphatic expression they made this recommendation. As the passage is lengthy I will not take up the time of the Council by reproducing it at length, I will content myself with the citation of only one or two sentences. After discussion of the subject they said: "The Committee are of opinion that the time has come to embody in the law the main principles by which the land revenue is determined, the methods of valuation, the pitch of assessment, the periods of revision, the graduation of enhancements, and the other chief processes which touch the well-being of the revenue payers. The subject is one which probably would not be transferred to Ministers until the electorate included a satisfactory representation of both interests, those of the tenantry as well as those of the landlords; and the system should be established on a clear statutory basis before this change takes place." The Statutory Commission will be with us at the latest in 1929; and, if the prophecy of rumour can be believed, at least a year earlier than that, and yet, more than six years after the inauguration of the new system of Government we are still where we were before the Joint Select Committee made their recommendation in 1919.

There is at least one reason why the Governor in Council should be eager to settle these matters before there is an extension of the franchise and a further instalment of constitutional reforms by virtue of which more of the power which is now unfairly enjoyed by our unrepresentative, unresponsive, and irresponsible Government is transferred to the Legislature. What the Government think of the catastrophe which is bound to overtake the landlords, who are strongly represented in both the superior and inferior branches of the

Government of the United Provinces? What the Government think that a legislature in which tenants are strongly represented will do with the landlords and their interests, is a matter of public notoriety. But the Governor in Council very obligingly has no left it merely to inference or argument. In his despatch to the Government of India in the year 1924, which was intended to be placed before the Muddiman Committee, the Governor in Council discussed whether more subjects could be transferred to Ministers than is at present the case. I am glad to say that there is freedom and candour in more than one passage of that despatch, and it is not irrelevant to the present discussion for me to bring it to the knowledge of those members who may not have read it and to refresh the memory of those others who have read it but who may not have it now prominently in their minds. It is relevant for me to place the passage before the Council and then to say a word or two upon its meaning and the inferences to be drawn therefrom. The Governor in Council wrote:—"The transfer of land revenue, whilst acceptable to advanced opinion, would not be welcomed by landlords." At least he wishes it were so. The landlords fear (and not without reason) that at the next election the tenants will have a majority in the legislature, and that little regard will be paid to their interest or just claims in the legislation which will be introduced." How far this prediction has come true is shown by the composition of this Council, of which we were told officially and in an inspired message that 51 or 48 members were landlords and that they formed the largest party in the Council. "The Governor in Council hopes that it will be possible to pass, during the duration of the present Council, a measure revising the present Agra Tenancy Act, which will do justice to both landlords and tenants; but no such enactment would prevent the passing of fresh and revolutionary legislation, in a subsequent Council." We all know how much satisfaction the Tenancy Act of last year gave to landlords or to tenants—particularly to landlords—and by what method it was placed on the Statute book. And this Council has shown what propensity it has for passing revolutionary legislation! "The enforcement of such legislation, which would be certain to provoke violent opposition, would devolve upon the Governor in Council, who would have had no voice in the framing of its provisions. The landlords have been a steadying influence in this province; they have filled a large part in its economic and political life; and their disappearance or impoverishment would gravely impair those forces upon which the stability of the country depends."

In the next paragraph he says that the transfer of Land Revenue would involve the power to determine the future constitution and composition of the service which administers it. He further says that if that is so and if Land Revenue is transferred, the position of the Indian Civil Service or at any rate of by far the greater part thereof will be affected. The separation of the executive and judicial functions may not be long delayed. I am using my own words: the actual words are "is not likely to be long delayed." Here, Sir, the Governor in Council has done little justice to his invincible power of passive resistance to reform. And the Governor in Council expressed his apprehension that "the cadre of the Indian Civil Service would be reduced to a small fraction of its present strength. Believing as he does, that a substantial European element in the public services is and will be as necessary as it ever has been, the Governor in Council"

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that the consequences of this reduction (i.e., reduction consequent upon the transfer of land revenue) would be disastrous for the welfare of the country."

I submit, Sir, that it is altogether a wrong policy for the Government or for the landlords or for public opinion to separate the two subjects of rent and revenue legislation. It is my belief, and I stated it before in the old Council where the Finance Member and I used to be in the same relation in which we are now with slight differences of a personal nature. I have never concealed my opinion that not a small part of the difficulties by which the question of tenancy legislation has been attended, is due to the idea that rent and revenue law could be regarded as two distinct and separate things, for every time you seek to introduce amendments in the tenancy law and to ask landlords with or without consent to part with some of their powers in order that the tenants' rights may obtain a better recognition, every time their objection is based at least in a large part upon their own position in relation to the Government under the land revenue law. If the tenancy law and the land revenue law are considered as one connected subject and if the principle is accepted that the Government are to make to zamindars just the same concessions as the zamindars are asked to make to tenants, so that in the end not one of the three parties who are affected, that is, the landlord, the tenant, and the tax-payer, may feel that injustice has been done to him, the two subjects must necessarily go together, and if the Governor in Council so steadfastly opposes the transfer of land revenue on the ground that revolutionary tenancy legislation will be enacted by a future democratic legislature and on the apparently subsidiary ground that the European element in the Indian Civil Service may be reduced or may disappear, the same argument holds good in respect of land revenue as well, and legislation relating to the latter should have followed the Tenancy Act of last year. This would have been fair. I can understand the Hon'ble the Finance Member standing in his place and arguing that at present the responsibility is vested by law in the Governor in Council and therefore the Governor in Council must be the determining authority as to the contents of any land revenue Bill that may be placed on the Statute book. But I contend when there is a substantial agreement between landlords and non-landlords on the principle that must underlie the decision of the whole of this subject, viz., that the determining authority must be not the Executive Government but the legislature, and that the main principles of revenue policy must find a place in a statute of the legislature, then the Governor in Council cannot at the same time argue:—"It is true. But if your legislature is willing to degrade itself in effect to the position of a body intended and expected and required merely to register the decrees of an irresponsible executive and to cry "Aye" to every provision which the Finance Member on behalf of the Governor in Council may put before it, then by all means have your legislation. The moment we say that this is our will, that will must prevail, and if the legislature dares to assert its own will, we will withdraw the legislation and insist upon having our own way.

I do not agree with every provision of the Land Revenue Bill as it was introduced by the Government last year. I do not agree with every view expressed by the landlords who objected to some of its provisions. I made and make no concealment of this fact. My opinions on the

subject of tenancy and land revenue are known. It was one of the complaints of the Hon'ble the Finance Member when he used to be Judicial Secretary and when I used to move resolutions which commended themselves warmly to the landlords because they sought to secure justice to them:—"You say certain things in the abstract, but in practice all your proposals are on the side of the landlords." But I have no hesitation whatever in committing myself any day to this proposition. Suppose the majority of this Council any day is composed of landlords who insisted upon such a land revenue law as may confer upon them what the non-landlords may consider to be an excessive advantage. Even then I would far prefer that the question was taken up in a constitutional manner in this Council than that a stranger in the person of the Governor nor in Council should interpose and say:—"No. We are your trustees, we are your perpetual guardian angels; we desire that you should not have it as we think it is not in your interest. Allow us to continue to feed you on the Mellins food and Nestle's food which we will bring for you from overseas." On this main proposition, therefore, my sympathy is entirely with those who have supported this proposition.

Next, the question has been raised from that side of the House whether our purpose will not be equally served by moving and carrying a token cut. In normal circumstances it should be. But are the circumstances normal? I would ask anyone to say. I would ask even the most conservative individual to say, I would ask this honourable House as a whole to say what amount of moral authority our token even when carried by overwhelming majorities, have on the political mind of the members opposite. Do they not say rather:—"Sufficient unto the day is the goodness thereof. Whether the amount we have lost is Rs. 100, Rs. 1,000 or Rs. 1,001 our provision is there. Let them express their opinion, let them do what they like, we will follow our own way." Except when a campaign of repression is to be undertaken by them the present Government generally, accept the policy attributed to Frederick the Great. When the great Frenchman Voltaire saw the great King lampooned in the streets of Berlin and asked him:—"How is it that you have so much authority and yet you are being ridiculed by the people in the streets," and Frederick the Great replied:—"There is a perfect understanding between me and my people: they are to say what they like, I am to do what I please." So these token cuts have been proved by experience to be ineffectual so far as the unreceptive mind of the Governor in Council is concerned. That being so, a more demonstrative vote has to be carried by the Council if a little more impression is to be made upon their minds, and that demonstrative effect has to be produced by the motion that has been placed before the Council by my honourable friend over there to omit this entire item. Personally, I am constitutionally averse to wholesale rejection. And again I say that in normal circumstances I should not have given my vote, much less my speech, in support of it. But having watched carefully the course of policy, the tendency and the determined, the unconquerable disregard of the Governor in Council, United Provinces, for public opinion—extremist, moderate, non-co-operation, swarajist, liberal, landlord—for all species of public opinion, having watched how they feel "W monarchs of all we survey, let the Legislative Council papers write, let public platforms ring with the cry but we the corporation known as the Governor in Council

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have our own way. What does it matter to us? If too much trouble is made, convert more voted items into non-voted. If too much trouble is made by the non-official members, let them have no days to discuss non-official resolutions. What does it matter?"—having watched all this, and as a strong and emphatic and convincing protest against the systematic, the persistent disregard of public opinion by the Governor in Council, United Provinces, I am constrained to give my support to the motion for the entire omission of this demand.

Next, Sir, before I close, I cannot but draw attention to one matter which has already been placed before the Council. That matter is the creation of the post of Settlement Commissioner with a large establishment for him. I am not aware whether my motion No. 21 will be reached, and as the speakers have already addressed the Council upon that item, I hope I shall have your indulgence and the indulgence of the House if I venture to take up a few minutes of their time with some observations upon that part of this demand.

**The Hon'ble the President :** I hope the honourable member will be brief now. After this demand has been voted and if it is thrown out, his motion No. 21 cannot be taken up.

**Mr. C. Y. Chintamani :** I shall try to be as brief as possible. I put a question to the Hon'ble the Finance Member with regard to the settlement. He told me there was no resolution by virtue of which this post of Settlement Commissioner was brought into existence. In other words, the public do not know what are the limits of the authority, the duties, generally speaking, what is the scope, and what are the functions of the Settlement Commissioner. The Finance Member said he would supervise settlements; he would report not to the Government but to the Board of Revenue, and the post had been sanctioned for six years. May I know why this post was created? I understand that the Settlement Commissioner is of the same status as the commissioners in relation to this subject. Is it that the commissioners are so hopelessly overworked that if this burden of supervising settlements in their respective divisions is cast upon them, the necessity may at once arise for introducing a Bill for the protection of commissioners, or a Bill for the prevention of cruelty to these people called commissioners? The Council has expressed its opinion on this question; it has asked for a reduction in their number; it has recorded its opinion on the inutility of commissioners. As regards the Board of Revenue, the Settlement Commissioner does not take the place of the Board of Revenue. My intention in putting that question was to know whether the Settlement Commissioner reported direct to the Government or to the Board of Revenue. If the Hon'ble the Finance Member replied that the Settlement Commissioner reported direct to the Government, then it could be said that he took the place of the Board of Revenue. But here is the answer: that he reports to the Board of Revenue. Therefore his appointment is really a relief to the commissioners, if it is a relief to anyone. As regards the Board of Revenue, the Council will remember that when the Board of Revenue Act was passed in 1922 the Board was relieved of all executive functions except settlements and court of wards. They have only judicial work now. And yet this post of Settlement Commissioner has been created. I do not think that the Settlement Commissioner is indispensable even for the purpose of carrying out settlements. I had made inquiries in my constituency when the Settlement Commissioner honoured it with a prolonged stay—not in going from village to village,

but in camping at Partabgarh for a long period. Ten years ago we had a discussion in the then Council on this post of Settlement Commissioner and the only thing which Mr. Burn, then Chief Secretary, said was that I had failed to tell him how to simplify settlement procedure. As if it were my duty to tell him that, or as if, if we did tell them, they would listen to us. By all means lighten it. The landlords have always said that settlements are too complicated. In any case, I do not see that there is any justification whatsoever for burdening the tax-payer with this new office and with all its establishment. I have not uttered one word on the merits of a particular piece of land revenue legislation. My concern now is to join those who are seeking to make an emphatic protest against the attitude of the Governor in Council towards the subject of land revenue legislation, and my further object on financial and political grounds is to protest against the creation of the post of the Settlement Commissioner and his establishment. For these reasons I give my whole-hearted support to the motion.

**Khan Bahadur Maulvi Fasih-ud-din :** I have got a token motion in my name, but I will speak on this particular motion. One of the disadvantages that I am labouring under is that I stand to speak after the indomitable and oratorical leader of the nationalist party, but however I will try to make the best of the situation to express my ideas in my own way.

There is no doubt that the question of settlement has been an eye-sore to all the parties concerned,—to the Government, to the landlord, and to the tenant. The controversy about the term of settlement dates back to the days of the East India Company, the Directors of which after obtaining the opinions of some of the most eminent Englishmen, who may rightly be styled as Empire-builders, came to the conclusion that the only sound policy for an agrarian country like India was to be the policy of permanent settlement. But after the province of Bengal and a strip of these provinces along the border of that province had been permanently settled, the bureaucratic element in the Indian Government re-opened the question, and at last in the early eighties went back upon the pledge which was so solemnly given in the early part of the nineteenth century. The National Congress began to agitate over this question for a number of years, but without any result. The first reformed Council took it up in right earnest and the Government announced a committee known as the settlement committee. This committee after a long deliberation of over six months brought out a report which is well known to all of us. It suggested the publicity of the work of the settlement officer at various stages of progress, also a reduction in the percentage of land revenue to assets by 10 per cent., also a limitation on the enhancement of land revenue; but it failed in its duty when it maintained the term at thirty years. The resentment that was felt by the non-official members of this committee will appear from some of their ably-written notes of dissent. However, the second Council continued the agitation and the Government, every time the question was brought up on the floor of this House, announced that its policy as regards the settlement would depend on the shape which the Tenancy legislation would take after its passage through the Council. The shape which this tenancy legislation took after it came off the anvil of the Council is a matter of common knowledge. I need not dilate upon it. Suffice it to say that the new Tenancy Act has succeeded in at once reducing the value of landed property by 25 per cent., if not 30 per cent. and it has paved a way for the nationalization of land. However, misfortune never comes

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singly, and when we came to closer grips with settlement legislation we found that all was not plain sailing and that there was "something rotten in the state of Denmark." We found that the Government laid down certain conditions which we could not transgress, certain barriers which we could not overstep. It said that the term of 40 years proposed by it could not be exceeded even by one year, that it could be applied only to future settlements and not to existing settlements. It said that the maximum and minimum percentages of land revenue to assets could not be reduced below 45 and 35 and that the rule that the enhancement should not be more than 33 per cent. of the existing demand and could not be less than 33 per cent. of the total net assets would not be relaxed any further. It permitted us to make verbal changes in the procedure. In other words the Government actually followed the example of the Persian poet who said :—

از بام خانه تا به لب بام ازاں من \* در ستف خانه تابه ثريا (از آن تو

(From the plinth of the House up to the roof will be my share and from the roof up to the constellation of the stars will be yours). Thus there was a great agitation and consternation amongst the members of the landlord party in the Council. The result was that, exasperated though we were with reverses, after reverses, we agreed to all the conditions laid down by the Government except the one condition about the percentage of land revenue to assets. However, we managed or mismanaged affairs in such a way as to get the Government to withdraw the Bill when it found itself in a corner. This was the tragic end of the drama or melodrama that was played on the stage of this Council during the long space of six years. Then followed the usual inevitable farce of the rules of settlement based on some of the principles of the withdrawn Bill.

My friend Mr. Chintamani has discussed in one of his most well-reasoned and able speeches the legal impropriety of the action taken by the Government and I need not go into this question at all. I simply want to bring to the notice of this Council that so far as my reading of the rules goes, they do not provide for the term of forty years. The rules simply say that the term will be the ordinary term prevalent in this province and that the settlement officer was at liberty to reduce the term (mind you not to enhance the term) in certain cases of depreciated tracts. However, I am not at all very much in love with these rules, not only because they can be changed at any time, but also because they are generally observed more in their breach than in their observance. What I want to impress on the Government is that we want a settlement legislation based on a broad-minded, liberal and sympathetic policy, not on the policy of egotism and money-grabbing.

*Here the Deputy President took the Chair.*

There is no halfway house between a sagacious and wise statesmanship and between a narrow-minded policy, Sir, the settlement policy of the Government is in my opinion responsible for much of the agrarian troubles. I have described this policy often and often. It is the policy of short-term settlements ; it is the policy of widening the basis of circle rates ; it is the policy of frequent use of special village rates in order to enhance the valuation of assumption area ; it is the policy of guarding against any liberal and substantial reduction in the percentages of assessment and in the



limitation of enhancement of land revenue. Let us analyze the effect of this policy. The most practical method of analyzing the effects of a policy is to compare the conditions in our province with another similarly situated province. Bengal is of course a permanently settled province; Madras is a province where exists almost entirely the ryotwari system; Bombay is a province in which the zamindari system exists in but a small part. The only province to which our province can be compared is the Punjab and let us see what is the condition of affairs in the Punjab I find that in the Punjab the cultivated area is 291 lakhs as against 353 lakhs in our province and the land revenue in the Punjab is 497 lakhs while in our province according to the present budget it is 691 lakhs. Thus the incidence of land revenue per acre in the Punjab is only 170 and in our province it is 197 per cent. of cultivated area.

Now take another side of the question, namely, the number of coercive processes that are being used in this province for the collection of land revenue. In the Punjab I find that only on an average ten thousand coercive processes are resorted to every year: these include the writs of demand and citations to appear: while in our own province as many as from 1,75,000 to two lakhs of coercive processes are used. Fancy the difference between the two provinces. I think these figures are eloquent enough and they constitute a very great blot on the land-revenue administration of these provinces. Now, I submit that we all know that the cultivating classes are very badly off, and it has been admitted even by government experts that in India the masses of cultivators are sunk in the depth of penury and poverty, but the condition of zamindars, I hold, is even much worse. They are going from bad to worse, and if the rate at which they are losing ground continues for another, say, twelve years, I am sure that every single hereditary zamindar will have to go out. I find from the very figures given in the revenue administration reports that as many as ten thousand properties are being sold up every year by the orders of the courts and over a lakh of properties are being transferred annually by private transfer. This is a very pitiable state of affairs and I think if this state of things continues, a crisis is sure to come very soon. It is a matter of great importance therefore that the Government should look back to what it has done in the past and should be prepared to effect a radical and a substantial change in its settlement policy. We know, Sir, that in spite of the fact that we preponderate in the Council we have not a sufficient amount of cohesion, and for that reason we are apt to lose ground almost on every question, and it was only on account of this fact that we could not do much in connexion with the tenancy legislation. My friend who says he does not agree upon that point probably was not present at the time of the discussion of the tenancy legislation, otherwise he would not have said so. The reason is simple enough. It is this, that we have no recognized leader among us and as soon as we can make up our minds about this matter and as soon as we realize the principle that united we stand and disunited we fall I am sure that we will see better days.

**Mr. A. W. Pim :** My purpose in speaking this afternoon is not to deal with the broad aspects of the general question of settlements which have been dealt with by a number of speakers, but to give an answer to the single question put as to why the settlement commission is necessary. In order to consider this question fairly it is necessary

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explain briefly what the present position is. We are now starting a new series of settlements after a long interval in which there have been very few settlements. As a result the number of officers with settlement experience is very limited, and it is unavoidable that a proportion of the settlement officers, and still more next year of the assistant settlement officers, will be officers without special experience of this branch of work. At the same time seven districts are under settlement simultaneously, or eight districts including Garhwal, which does not come under the settlement commissioner. I do not think that in the last 30 or 40 years there have ever been so many settlements in progress simultaneously, and, as I have said, with the additional difficulty that the number of officers available for this work is smaller than it has been for many years. At the same time special difficulties are presented by the fact that both in Agra and in Oudh we have new tenancy legislation. That legislation has raised a number of new problems requiring careful consideration, and others are raised, and unavoidably raised, by the new rules for the carrying out of settlements which have been framed in accordance with the undertaking of Government given at the time of the settlement Bill of last year that all the main concessions embodied in the land revenue Bill should be incorporated in the rules. No member has ventured to suggest that this has not been done, I exclude the point of the period of settlement with which the rules are not concerned. We have then a very complicated task to be carried out by officers, some of whom must of necessity lack experience, and it will be obvious to the Council that in these circumstances supervision is particularly essential. What that supervision means can only be understood by considering what the settlement officer has to do. In the first place he has to make a classification of soils. He then has to frame his circles. These circles having been framed he has to extract his standard and village rates, and consider what concessions have to be given in particular villages. These are all tasks which can only be supervised on the ground. It is impossible to sit in an office and to supervise the classification of soils, the formation of circles and the extraction of standard rates. Only a person who has seen the district and has toured with the settlement officer or the assistant settlement officer can do that work satisfactorily. The honourable member for Partabgarh has ventured to suggest that the settlement commissioner does not work on these lines. The settlement officer was camping in the middle of the area under settlement and he certainly did go out with the settlement officer and supervise the work at the stage at which it then stood. The suggestion that work was not done on these lines has absolutely no foundation whatever. A settlement commissioner is no new creation in these provinces. In early settlements the valuations were made on general considerations and there was no attempt to get at actual assets, in fact at that time it was not possible to do so. Later on, with the growing progress in the accuracy of records, it became possible to get at actual assets and early in the nineties it was found that a settlement commissioner was necessary to supervise the work, and one was accordingly appointed in Oudh in 1894—1899.

**Mr. C.Y. Chintamani :** Was there not only one commissioner in Oudh at that time ?

**Mr. A. W. Pim:** That may be so, but the fact remains that the settlement commissioner was appointed as a specialist to supervise special work and of course the work of the commissioner at that time certainly cannot be compared with the present. Similarly when the Bundelkhand assessments came under supervision soon after 1900, the same work was done by Mr. Hooper as additional member of the Board. Again, when settlements became more numerous after 1913, a settlement commissioner was appointed from 1914 to 1919. At that time the maximum number of districts simultaneously under settlement was five.

**Mr. C. Y. Chintamani:** For how long was he actually in office?

**Mr. A. W. Pim:** So far as I am aware for five years. I may be wrong, but in 1917 the honourable member himself brought a motion on the subject and there was a discussion about it. He declared at that time that his purpose was that the period of his appointment should not be extended, and, so far as I am aware, it was not extended. Returning to the subject under discussion, the position is there is supervision work to be done which must be done on the spot. There are seven settlement officers now working and next year there will be thirteen, including assistant settlement officers. It is obvious that if a settlement commissioner is to tour with each officer, and supervise his work on the spot, this will take up practically the whole cold weather. When this work is finished, the programme for the hot weather is the working out of standard and statutory rates and the drawing up of rent-rate reports. The settlement commissioner has to deal with these rent-rate reports and with the long series of standard statutory and village rates which they work out. That is no light work, and will with difficulty, be completed during the hot weather. The next task is that of dealing individually with many thousands of assessment statements. I do not know the exact number in all districts under settlement, but it would not be less than 40,000. These have to be completed within three years.

The settlement commissioner would therefore on the average have to deal with well over 12,000 assessment statements every year. It is obvious therefore that, as he must look into these in detail and consider them carefully, his time during the hot weather and the rains will be very full indeed. As a matter of fact, I went into this question and it is clear that he will have great difficulty in getting through one year's work before the following camping season commences.

The question is naturally asked as to why commissioners could not do it. The answer to that is obvious. In the first place, as I have said, it is a specialist's job, and the number of commissioners who have experience of settlement work is small. The settlements are spread over four divisions, and no officer who has not got experience of that work is competent to supervise them. Apart from that, if commissioners deal with them, all the settlements would not be done in similar methods and on similar standards. It is very important that settlements should be done on the same standards and follow the same methods; and no commissioner who deals with one or two settlements only can possibly secure this. Further, notwithstanding what has been said on this subject in the recent debates, the commissioners already have full work; in some divisions there is a regular necessity for appointing additional commissioners and in the other commissionerships, the commissioners have in gen-

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full work. They cannot take over the heavy additional work of supervising two or three settlements. An alternative proposal has been made relating to the Board of Revenue. It has been suggested that, as the executive functions of the Board have been largely taken away by the Bill of 1921 or 1922, a member of the Board can do the work proposed to be done by the settlement commissioner. The functions of the Board in this matter should be understood in the first place. There are many general questions of principle which occur in settlements which the Board will have to decide. They will have to deal with rent-rate reports and sanction them, as also with the general principles of assessment; but it is impossible for the members of the Board to exercise the detailed control which is essential if the work is to be properly done. In the first place, it is not quite correct to say that the Board has no executive functions left except in regard to the Court of Wards and settlement. In addition to that there is a fair amount of work in connexion with stamps, with revenue buildings, with the periodical revision of assessment in Bundelkhand and with many revenue questions which are referred to them, notwithstanding the Bill which took away the Board's direct control over certain matters, the most important of which are of course tahsildars and naib-tahsildars, opium and excise. Apart from this, the Board's judicial work has substantially increased in recent years. Going back twenty years ago, the number of cases decided by the board was 2,104—that was 23 years ago, in 1903—and when the settlement commissioner was appointed in 1913 the number had risen to 3,289. Since that time there has been a further considerable rise, reaching its maximum in the year 1924-25 when the number of cases decided was 3,776. All these cases were not heard out; a considerable proportion of them were decided summarily. Nevertheless, the fact remains that the volume of the judicial work of the Board has substantially increased. Further, as the Council is aware, a great deal of the time of the members of the Board of Revenue is necessarily taken up by the sittings of this Council, which must naturally tend to increase both in length and frequency. Those meetings take up a great deal of time both in the cold weather and in the rains, and make it by no means easy to find adequate time for hearing cases on tour during the cold weather, hot weather and rains, when the members of the Board hold their sessions. All these tasks cannot possibly be combined with the detailed and laborious work of supervising on the spot the work of various settlement officers and assistant settlement officers and of examining all assessments individually. That is full work for a whole-time officer, and it is impossible for the members of the Board to do it in addition to their other duties, more especially considering the exacting nature of the work now connected with the Court of Wards. Apart from the work which I have mentioned, the members of the Board are members of a number of committees. These do not, however, take up much time as a rule and therefore I do not lay stress on them. To sum up the essential facts of the case, I trust that the Council will agree that it is impossible to add this very heavy additional task to the work of Commissioners or to that of the members of the Board. It can only be done by an officer who is free to tour throughout the cold weather and to devote his exclusive attention to the rent-rate reports and assessments during the hot weather and the rains. Moreover, it can only be done

by an officer of special experience in this work. I am confident, therefore, that the Council will agree that there is nothing unreasonable in the decision to appoint a settlement commissioner for the carrying out of this most difficult and laborious work.

**The Hon'ble Sir Sam O'Donnell :** Mr. Pim has dealt lucidly and completely with the question of the settlement commissioner, and I shall, therefore, confine my remarks to the main issue which has emerged in this debate, viz., the withdrawal of the Land Revenue Bill. Now, Sir, the history of that case is well known to the Council, and I shall, therefore refer only to the salient facts. It is necessary for me to do so if I am to reply to the criticisms which have been passed to-day on our action. Last year, Sir, we introduced a Land Revenue Bill. In introducing that Bill we were influenced in the main by two considerations. We desired on the one hand to comply with the recommendation of the Joint Parliamentary Committee on the Government of India Bill. And we desired on the other hand to extend to the landlords concessions analagous and comparable to the concessions which we were asking them to make to their tenantry. The Bill which we introduced was not an illiberal measure. It complied with the recommendations of the Joint Parliamentary Committee; it embodied the main principles of land revenue settlement and in addition it embodied all the concessions recommended by the settlement committee, viz., the reduction in the percentage of revenue to assets, the allowance for proprietary cultivation, the limitation of the enhancement of revenue to one-third of the expiring demand and the limitation of the areas which may be classed as wet. It included in addition a most important concession, viz., the extension of the period of the new settlement to 40 years. That Bill was referred to a select committee and the select committee made three changes; first, a reduction of 25 per cent. in the valuation of the assumption areas in Outh, secondly, an increase in the minimum allowance for proprietary cultivation from 10 to 15 per cent. and, thirdly, the reduction of the normal percentage of revenue from 40 to 35 per cent. The first two changes we were prepared to accept, though they had found no place in the Bill prepared by the settlement committee. They were important concessions. Nevertheless we were prepared to accept them. To the third we were unable to agree, and when the Bill came before the Council, that body not only insisted on that amendment but introduced another amendment as well, which increased the allowance for proprietary cultivation.

Now, Sir, I need not repeat our reasons for objecting to these amendments. I dealt with the matter fully in the discussions last year on the Land Revenue Bill. On that occasion in particular I dealt with the recommendations of the Indian Taxation Inquiry Committee, and I suggest to Mr. Nemi Saran that if he examines the report of the committee more carefully, he will find that were the recommendations of that body to be accepted, they would not have the results which he anticipates. We made a calculation, which showed that the total of the land revenue would be about the same, but that its distribution would hit very severely the smaller proprietors. We did our utmost to induce the Council to agree to our views. In particular we made clear what the consequences would be if the Council were unable to agree. We made it quite clear that we were under no necessity to pass the Bill, and that if it was not accepted by the Council in

[The Hon'ble Sir Sam O'Donnell.]

the form which is recommended, we were prepared to proceed with the forthcoming land revenue assessments under the existing law. Our efforts, however, Sir, were in vain, and therefore we withdrew the Bill.

Now, Sir, the honourable member for Partabgarh has criticized us on this point not only vigorously, but if I may say so, violently. He has laid down the amazing doctrine that, whatever the amendments on which the Council insisted, it was our duty to proceed with the Bill. If the Council had insisted on amendments that would have reduced the whole land revenue of these provinces to one rupee and have fixed the land revenue of these provinces in perpetuity at one rupee, nevertheless we should have proceeded with the Bill. Well, Sir, that is not how we view our responsibilities. We had our general responsibility for the subject of land revenue, and we were in particular responsible for this Bill. It was our Bill; it was a Bill introduced by us, and when it was amended in a way with which we radically differed, we had every right to withdraw it. I say without fear of contradiction that there is no country in the world in which the government, whatever the constitution, would be prepared to proceed with a Bill, if it were altered by the legislature in a way which they felt made it from their point of view an impossible Bill.

We are asked now to re-introduce that Bill. I have not noticed during the course of the debate any indications that the Bill, if re-introduced, would meet with a different fate than it did last year. The speeches which have been made would seem to show on the contrary that the amendments which were then pressed would be pressed again, and perhaps even greater demands would be made. In any case, I do not feel that it is reasonable to demand that we should re-introduce the Bill. We consider that in this matter of the codification of the principles of land revenue we have done our part. We introduced a Bill which not only complied with that condition, but did so in terms of unexampled liberality. Our Bill was rejected, and now feel that we have played our part. What our successors may do is a matter not for me to express an opinion upon; but, as far as we are concerned, we have discharged our responsibility.

As to the rules, Sir, they embody all the main concessions which we adopted in the Bill. They provide for the assessment of revenue normally at 40 per cent. of the assets; limitation of revenue enhancements to one-third of the expiring demand; the limitation of the areas which may be classed as wet; allowances for proprietary cultivation, and a reduction of the standard rates by 25 per cent. for the valuation of assumption areas in Oudh. The only concession not embodied in the rules is that relating to the extension of the period of new settlements to 40 years. This is a matter which is regulated by the orders of the Government of India. We have, however, obtained the sanction of higher authority to making the new settlements for 40 years. As to the question of opportunities for discussion of the assessments proposed in Council, that is a matter which is under consideration.

I have been reminded by one honourable member of the loyalty and the services rendered during the war by the zamindars. We have not forgotten, them, and we are never likely to forget them. We have always recognized the great part which the zamindars have played in

these provinces. It has always been our hope that they will continue to play that part. But I do not think that we can be accused fairly of illiberality and of lack of generosity towards them. As I have said before, if we asked them to make certain concessions to the tenants we offered them corresponding concessions in return. I do not know of any province where a more liberal measure on the subject of land revenue has been brought forward by the local Government. But we have our responsibility to the general community. There are limits beyond which we cannot go. We were asked to make concessions which exceeded that limit and that is why the Land Revenue Bill is not on the statute book.

**Raja Jagannath Bakhsh Singh :** I The Hon'able the Senior Member of the Board of Revenue while making his speech made certain observations and I would like to refer to them at this moment. His reason for the retention of the post of the settlement commissioner was that a large number of districts were under settlement at the present time. It was contended on this side of the House as to what are the duties of the settlement commissioner. The Government in reply to a certain question by the honourable member for Partabgarh said that no resolution was published regarding the appointment of a settlement commissioner. We do not know, therefore, what duties have been assigned to the settlement commissioner—whether that officer is to work for the commissioners or for the members of the Board of Revenue. In reply to another question in this the Government said that the settlement commissioner is to report to the Board of Revenue, so it means that that officer is to do the work done by the commissioners of the divisions. It has been pointed out that there are at present seven or eight districts under settlement operations and that in some divisions more than one district are under settlement operations, and consequently the work on commissioners of those divisions will be considerably heavy. My submission is that the Government should so reorganize its scheme of settlement that there should be only one district under settlement operations in each division and then the work on commissioners will not be heavy, while there could be ten districts under settlement at a time. What will be the result of relieving the commissioners of settlement work and of appointing a settlement commissioner for the purpose? If the settlements of Agra and Muttra were so unsatisfactory under the supervision of the commissioners that the Government had to reconsider their settlements, then, surely, as will appear from the proceedings of the Council, the settlement of the Fatehpur district under the supervision of the settlement commissioner has also not been satisfactory. The appointment of settlement commissioner has not proved to be in the interests of the people. The settlements supervised by the commissioner have not been worse than what they have been under the supervision of the settlement commissioner.

The second point of the Senior Member is how the work of the commissioners is to be co-ordinated. It has been pointed out by the honourable member for Partabgarh that after the passing of the Board of Revenue Bill it cannot be denied that a good deal of work of the Board of Revenue has been distributed among other officers. I do not know why under the relieved circumstances the Board of Revenue cannot even undertake this work of co-ordination. Surely it is not a heavy work, or at any rate a work for which a settlement commissioner is required.

[Raja Jagannath Bakhsh Singh.]

The third point raised by the Senior Member is that the members of the Board of Revenue have to sit in the Council and thus a great deal of their time is spent. They, therefore, require assistance. If a settlement commissioner is appointed and if a number of settlement files of different districts are brought in the Council, will he not have to sit in the corridor and will he not be allowed to take the seat of some other member to support the members of the Board and the Hon'ble the Finance Member when they are defending any particular proposal, and will not his time be taken in the same way in which the time of the members of the Board is taken at present? And it will not be unexpected if again the same plea another settlement commissioner is required. So I submit, Sir, that the argument put forward by the Senior Member does not hold water. You cannot go on increasing the number of the Government benches as much as you like. We, on this side, do not admit that all the seats of the Government benches are fully occupied with work in this Council. I do not want to make a personal reference, but it is a fact that the settlement commissioner is not fully experienced for the work he is doing. If I am correct, he possesses only the experience of the settlement work of Deoria in the Gorakhpur district, where he once was a settlement officer. It is not enough for an officer to become a settlement commissioner after having experience of only one particular place. So, I submit that the Senior Member of the Board of Revenue has not made out a case in support of the appointment of a settlement commissioner and I hope the House will agree with me in this view.

**Mr. H. A. Lane :** The honourable member who spoke last has suggested that the arguments which the Senior Member of the Board of Revenue brought forward showing the necessity for a settlement commissioner will not bear examination. The first point which the honourable member seeks to make is that he asks why should the settlement commissioner be appointed for the work which the divisional commissioners are doing now? Well, Sir, that is completely misunderstanding the situation. The work which the settlement commissioner is doing is not work which the divisional commissioners are doing or ever have done. The settlement commissioner has been appointed for settlement work, and before the settlements commenced there was no work done by any officer which corresponded with the work which the settlement commissioner is now doing. The second point which the honourable member seeks to make is that the Muttra and Agra settlements were done under the supervision of the divisional commissioner. I do not know which Agra settlement he refers to. The Agra settlement commenced in October last year and it is being supervised by the settlement commissioner. It is true that previously some settlement work was done at Agra, but it was not supervised by the divisional commissioner. The same is the case with Muttra and having been the settlement officer of Muttra I am on safe ground when I say that the Muttra settlement was conducted directly under the supervision of a member of the Board of Revenue Sir Selwyn Fremantle, who had unrivalled experience of settlement work, and it was possible for the Board of Revenue to supervise this work because at that time Muttra was the only district where settlement was in progress in the United Provinces. The honourable member has also stated that when the Fatehpur settlement was in progress, there was no need for the settlement commissioner. The reason is perfectly clear



It is exactly the same as in the case of Muttra, namely, that when the Fatehpur settlement was being done, there was no other settlement in progress in the United Provinces. There was available for supervision a member of the Board of Revenue, Sir Duncan Baillie, who was a revenue officer of rare ability and also had a very long experience of settlements. The honourable member, by way of solving the difficulty which the Government feel in getting settlements supervised, has suggested that it is only necessary to change the programme of settlements in such a way that only one settlement be taken at a time in one division. This will, of course, benefit the landlords because it will mean in many cases extending the period of settlement for several years in districts due for revision. The settlement programme is arranged in accordance with the regular roster of the existing settlements. As soon as the term of the settlement expires a new settlement is taken up. This suggestion also loses sight of the objection which the Senior Member made that it is essential if the settlement policy of the Government is to be consistent and over-assessment of some districts is to be avoided—that there should be a co-ordination of the work. This really is much more important in settlements than in any other type of work. If you adopted the proposals of the honourable member you would not only have four divisional commissioners supervising settlements, but you would have ten divisional commissioners supervising settlements and the result would inevitably be that you would not have one standard of assessment and one revenue policy in the province, but probably have ten standards of assessment and three or four settlement policies.

A settlement is a very important thing in a district and it is impossible for the Government to take the risk of settlements being done in this haphazard way. The honourable member has suggested that if ten divisional commissioners were each supervising ten settlements it would be perfectly simple for the members of the Board of Revenue to do the necessary co-ordination. I am afraid that this would be quite impossible for the members of the Board of Revenue. The standard of assessment is determined at the time of the soil classification and the determination of standard rates and this is the work which requires a detailed knowledge and local inspection. It is quite impossible to sit in an office and say because in this district this land is called first class wet and in that district it is called first class wet, therefore you should fix approximately the same rate for the same land in these two districts. The soil class with the same name in two districts varies greatly in quality and so local knowledge is necessary to get a fair valuation in each district.

Finally, the honourable member had also said that it is universal knowledge that the officer who has been appointed settlement commissioner is not fully experienced and is not able to do the work. Well, I do not know where his knowledge comes from or what his experience in the matter is, but the Government can certainly be trusted to select an officer for this important work who is fully experienced and who is fully competent to perform the duties which are allotted to him. This officer did a complete three-years settlement in Deoria, an extremely difficult settlement owing to the condition of the rent-rates and he also has some settlement experience, I believe, in the hills.

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Finally, the honourable member has suggested that if the Council is given an opportunity of discussing the assessment proposals and the rent-rate proposals in their final shape, the settlement commissioner will spend his time sitting either in the corridor outside the Council Chamber or else in the House. Well, I sincerely hope that the result of giving the Council the opportunity of discussing certain proposals will not mean that the Council will be sitting continuously for six months in the cold weather. The settlement commissioner if he attends at all, will only have to attend very occasionally when settlement proposals come up for discussion and therefore there is no ground for his fears. There is no question whatever, as the Senior Member has fully demonstrated, that the settlement commissioner's work is extremely heavy, extremely difficult, and it is doubtful whether it will be possible for one officer to perform all the duties which the settlement commissioner is called upon to perform. The question is not whether you can do without a settlement commissioner or whether you really do not want not only a settlement commissioner, but also an additional settlement commissioner as well.

*During the above speech the Hon'ble the President resumed the Chair.*

**The Hon'ble the President:** I am sure the House will agree with me that the question has now been talked about pretty long.

**Pandit Govind Ballabh Pant:** I rise to accord my whole-hearted support to the motion and I do so with a genuine sense of relief. I am one of those who were partially instrumental in securing a place for the Agra Tenancy Bill on the statute book. That has in a way imposed certain reciprocal obligations on us. We did what we could out of regard for fairness and justice in connexion with the Agra Tenancy Bill in the hope and in the confidence that we would also be able to secure justice for the other party concerned in that Bill. It is admitted on all hands that the Agra Tenancy Bill has made some inroads into the rights and privileges of the landlords; so those of us who are in any way connected with that affair owe a sacred duty to the landlords of this province to see to it that they get their share and that their rights too are recognized. If, on the one hand, the general mass of the tenantry has received certain privileges conferred by this Statute, it is but right and fair that the representatives of the public should make every effort that they can to secure justice for the other party. We have heard the speech of the Hon'ble the Finance Member with dismay and disappointment. There is not a ray of light anywhere. If it were possible for the members of this House to make any prayer after hearing his speech it would be "when will the day come when this regime will come to an end and the successors of the present Government will step in". For the Hon'ble the Finance Member has said: "Do not expect anything from me and my Government. We do not know what our successors will do. When they come they can consider the position and see what is just and proper." It is naturally provoking to the non-official members of this House who have set their heart upon the passage of the Land Revenue Bill. Welcome will be the day when we get those who will come with an open mind.

I was sorry to hear such a speech from the Hon'ble the Finance Member. We know, in spite of all the ability and urbanity that he carries, that

he is impervious, he has the traits of a rhinoceros to a certain extent; but we never knew that he would be so impenetrable in spite of the unanimous appeals which have come from every quarter. The honourable member has told us that he has a soft corner for the zamindars, that he has a regard for their interest; and I am not prepared to say that his statement is not correct. When Lord Curzon used to say that he loved India, there were certain observations made in the "Amrita Bazar Patrika" to the effect that the love of the Lord was similar to that which the bee entertained for the flower when it had all the honey in it. It sucks all the honey and the moment the flower had yielded all it possibly could, then it ceased to exist and this love would go. There is love of every sort. There is another story that I heard and it is about a groom and a horse. There was a groom who stole away all the fodder but did too much grooming from morning till evening, when one day the horse prayed him—"Please put a stop to all this grooming and let me have half of the fodder; that will be of greater advantage than too much of this grooming." So I would tell the Government to give the landlords something of the fodder and to take away part of this grooming. There is too much administrative machinery. We have so much machinery. We have the elaborate procedure of settlements. We have so many ranks in the official hierarchy; these are not what the people need. They do not want such elaborate machinery; what they want is real, sincere sympathy with their needs, with their aspirations and with their desires. If you deprive them of their privileges, please, Sir, at least give them what is their rightful due. The Hon'ble the Finance Member said: "Have you ever heard of anything like this in any country, has any Government been forced to proceed with the Bill that it has once introduced?" I say that the Hon'ble the Finance Member in spite of his shrewdness would perhaps have been well advised not to refer to other countries in his observations, for these invidious comparisons always lead one into trouble. That a Bill introduced, whether by Government or anybody else, when it receives the support, the hearty, cordial, sincere and honest support of all the representatives of all classes of people in the country, should be sent back to the House for reconsideration. Has anybody ever heard of any constitution in which the Government can draw up a Bill and say ultimately:—"We have nothing to do with it"? That would be a perverted constitution of any Government in any country. Governments, we know, often disagree with the representatives of the public, but there are ways out of every *impasse*. When a measure is referred back to the House and if the House reaffirms its previous decision, the Government are bound by it. It is not open to them to say:—"We will stick to what we want." There is another way. The House is dissolved and a re-election takes place and if the representatives come again and reaffirm what was done by their predecessors, that is conclusively binding upon the Government.

The Hon'ble the Finance Member could have recourse to any one of these measures, but he would not. We say:—"Go to the country and ask the people; can you find even 5 per cent. of the population to support you? If you cannot, what moral justification have you for withholding this measure?" The Hon'ble the Finance Member says:—"We owe a responsibility." Yes, Sir, they owe a responsibility, pardon me for saying so, but it is the responsibility that a man who steals another's proper

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owes to that which he has stolen and which he himself wants to enjoy. It is not the responsibility that a person owes to the man to whom the effects belong and who has a moral right to the enjoyment thereof. If they owe a responsibility, pardon me, Sir, to whom do they owe it? Ought the Government to owe any responsibility to anybody except the people whose affairs they conduct? Is there any Government which owes a responsibility to anybody except those whose matters are administered by it. And if you say you owe a responsibility to anybody else, that is exactly what is called an immoral system, that is exactly what is called a perverted order of things, and it is because of its existence that we see such curious feats in this country that Governments trample upon, look with disdain, with contempt, with insolence and arrogance, upon the deliberate, well-considered expression of the views and the organized will of the elected representatives of the people, and then come forward and say :— “ We alone have the monopoly of all the wisdom in the world and you fools you challenge, you defy us. There you are, we will mark the line; do not transgress it.” Well, Sir, nothing can be more mortifying than that. We admit the Government have the might, have the physical prowess and we are lacking in them, but pray do not talk of responsibility there. Be frank and say :—“ We are in a position to-day to dominate over you, we are in a position to carry out our own will, be they the landlords, be they the public men, be they the masses, our will is supreme and it shall continue to be supreme so long as it will be possible for us to manage and manoeuvre things like this. When this stage is passed when we shall find ourselves helpless, then will be your turn and then it will not be possible for us to interfere with you.” That, I think, would be a candid statement of facts, but anything different from that is incorrect if I do not use a stronger term. The Hon'ble the Finance Member has said that the measure was based on two considerations; one was the recommendation of the Joint Select Committee and the other was the fact that the Government had introduced the Agra Tenancy Bill. Well in the statement of objects of the Agra Tenancy Bill and the Land Revenue Bill the Government had referred to the connexion between the two Bills. Now it will be admitted by the Government that the Agra Tenancy Bill as passed was a more liberal measure than it was when it was introduced, so that the necessity of proceeding with the Land Revenue Bill became more imperative than it was at the outset. The other point that was urged by the Hon'ble the Finance Member was that it was in accordance with the recommendations of the Joint Parliamentary Committee. Then what obligation was imposed upon the Government by that recommendation of the Joint Parliamentary Committee? One might call it the effrontery of the Indian Civil Service to call the directions of the Parliamentary Committee a recommendation. But I take it in that light and I ask, what was then the obligation imposed by these orders of the Joint Parliamentary Committee? Was it only this that you were to introduce a Bill and then, whether that Bill was passed or not, your responsibility would cease, or whether the responsibility that was imposed on the Government was this that they should bring a measure before the representatives of the people and ultimately accept their verdict and in future see to it that all settlements were carried out in accordance with the declared wishes of the representatives of the people. If that

was the meaning, the Joint Parliamentary Committee could have absolutely no meaning in putting forward a recommendation of that nature. It could only mean that settlements, in future, should be carried out in accordance with the principles laid down by this House after careful consideration of all aspects of the case.

Sir, I am reminded that the report which embodies that recommendation was adopted by both the Houses of Parliament. So it carries with it a special sanctity, and that imposes a distinct obligation on the Government. To it, I think, in spite of all their talk of responsibility they are prepared to turn only a deaf ear. They must at least owe a responsibility to somebody, and, that somebody being their own Parliament, carry out its orders. I submit, Sir, that when the Joint Parliamentary Committee asked the Government to enact, to codify the principles of land revenue so that in future settlements might take place only in accordance with those principles, it distinctly meant only this that no settlement should be held except in conformity with the principles which were specifically, positively, unambiguously and clearly, accepted by the representatives of the people. And so long as the Government do not receive such a measure of support for the principles on which they want to base their settlements, they have no right in law, in morality or in equity to proceed with any settlement whatsoever. So, Sir, I do not see how the force of any of the two causes to which the Hon'ble the Finance Member attributed his Land Revenue Bill has been exhausted. It is as forceful, as effective, as strong to-day as it was on the day when he introduced the Bill.

Now, Sir, how very unfair was it on the part of the Government firstly have introduced the Bill and then to have withdrawn it as they could not agree to adopt the views of this House. The main provision over which the Bill was wrecked did not emanate from the House; it emanated from the select committee primarily and the House only confirmed the views of the select committee. After that the Governor under the prerogative which he enjoys in the name of this sham, futile and unreal constitution sent it back for re-consideration. The House re-considered that provision and after carefully weighing, with due respect all that emanated from that quarter it re-affirmed its previous decision. Can any House accept such an insult—that matters are sent back to us, we are consulted; we give our views; certain other opinions are expressed; we weigh them again; we re-consider them and then we express our views over again, but we are told:—"Well we do not agree with you; there is the decision of one or two which will prevail against your collective wisdom." That, Sir, is an intolerable state of things and if any lesson can be burnt into our souls and into our heart, it is only this that if the people want any progress in this country, if the various classes in this country want any justice for themselves, then the way out lies in getting rid of that obstacle which stands between our own consciences and ourselves. It is only then that we shall be able to administer affairs rightfully, righteously and in an honest and straight forward way. Till then it is not possible for any class of the community to obtain justice from any quarter. The Hon'ble the Finance Member says that he owes a responsibility. Responsibility to whom? If there could be conflict, it could be only between the representatives of the landed classes and the non-landed classes. After all, it is they who under the scheme of Providence are required to contribute towards the provincial exchequer. So if they agree, what is the conflict and why should the Government step in between?

[Pandit Govind Ballabh Pant.]

That is the problem ; it is so very patent on its very face that I do not think there can be any but one answer to it. If there had been a conflict between the landed classes and the representatives pseudo or real, of the masses, there might have been some pretext for the Government for alleging that it is their right, it is their duty to hold the scales even, but as there was nothing like that in this case, I do not think that there can be even a plausible excuse for the course adopted by His Excellency. I am reminded, Sir, that there was a time and I think it was not very old, when Government used often to repeat that the landlords are the natural leaders of the people. How the wishes of the natural leaders of the people have been trampled upon under this unnatural system ? Sir, the real truth of the matter is this that the Government have no regard for anybody who does not fall in with their own views and only to the extent that one is prepared to say little to what emanates from the Government they may persuade themselves to show some little consideration for that man. The moment he stands and cares to stand on his own legs Government say : " My will is supreme and I shall not listen to anybody else." The hour is late and it is not possible to speak on the subject within a few minutes. I am fully convinced that the landlords dealt with the subject not only with a due sense of responsibility, but with sobriety, with restraint, with equity and conscience, and it is painful for me to think and recollect that while we were in a way partially the tools for getting these liabilities imposed upon them in the name and title of the Agra Tenancy Act now we find ourselves impotent and absolutely helpless in securing justice for them. I can only pray with them that the day may come when they and we, all of us, may secure justice for ourselves.

**Babu Uma Shankar :** The statement of the Hon'ble the Finance Member that we should not expect anything from him or his Government should open the eyes of those who rely upon the promises and professions of the Government. The attitude of the Government and the statement of the Hon'ble the Finance Member have already opened the eyes of Rajas and title-holders and they are being turned into rebels (voices of " No "). This statement falsifies the professions of the Government that India is being governed by a civilized Government with the consent of her people. India is not governed with the consent of the people but it is being governed by an arbitrary, unresponsive and irresponsible bureaucracy with threats, coercions, certification and guillotine.

**The Hon'ble Sir Sam O'Donnell :** I have little to add. The honourable member for Naini Tal has compared our relations with the landlords with that of the bee to the flowers. He has accused us of exploiting landlords. Well, Sir, I have mentioned the concessions we offered in the matter of land revenue. Are those concessions inconsiderable ? The extension of the period of settlement to 40 years, the reduction of the percentage of revenue to assets, the limitation of revenue to one-third of the expiring demand, allowances for proprietary cultivation and so on, are those inconsiderable ? I remember last year when the Land Revenue Bill was withdrawn, I remember a pronouncement from a quarter generally supposed to be fairly connected with the honourable

member for Partabgarh. I did not read that pronouncement as indicating that the concessions were unsubstantial. I may be mistaken, but I read it to mean that the concessions were very substantial, very liberal, and that they ought not to have been rejected.

*The question was put.*

**The Hon'ble the President:** I think the ayes have it. Raja Kali Charan Misra asked for a division.

**The Hon'ble the President:** Did the honourable member say "No"?

**Raja Kali Charan:** Yes, Sir.

**The Hon'ble the President:** Because otherwise it is not permissible for him to ask for division.

*The Council divided as below.*

Ayes, 64; Noes, 21.

*Ayes.*

Khan Bahadur Mr. Masud-ul-Hasan.  
Babu Ram Charana.  
Mr. A. P. Dubé.  
Pandit Rabas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Manak Singh.  
Thakur Pratap Khan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhainandan Prasad.  
Bhaya Hanumat Prasad Singh.

Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Mr. Zahur Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Dr. Shafat Ahmad Khan.  
Khan Bahadur Saiyid Jafar Husain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Rai Bahadur Lala Bihari Lal.  
Rai Bahadur Lala Mathura Prasad Mohrotra.  
Raja Shambhu Dayal.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakshi Singh.  
Pandit Iqbal Narayan Gurtu.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.

Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mr. E. Ahmad Shah.  
Lieut. Raja Kali Charan Misra.  
Mr. J. P. Srivastava.

*The Hon'ble the President then adjourned the Council to the following day.*

## APPENDIX A.

(See page 977 *supra*).

*Statement referred to in the answer to starred question No. 3 for March 29, 1927, asked by PANDIT BADRI PUTT PANDE SAHIB.*

(a) The total number of appeals allowed and dismissed by the deputy commissioner during the last three years is as follows :—

	Allowed.	Dismissed, or rejected	Order amended.	Case remanded.
Civil .. .. .	40	147	8	4
Miscellaneous, civil .. .. .	6	26	..	5
Revenue .. .. .	18	69	..	2
Miscellaneous, revenue, Nayabad .. .. .	58	141	..	..
Criminal .. .. .	14	42	14	..
Total .. .. .	136	435	22	11

(b) The total number of cases in all the courts of the district in which more than five hearings were made is 103.

(c) The longest distance people have to travel for court work in all the four sub-divisions of the district is—

	Miles.
Baramandal sub-division .. .. .	30
Pali sub-division .. .. .	44
Lohaghat sub-division .. .. .	40
Pithoragarh sub-division .. .. .	91



## APPENDIX B.

*(See page 978 supra).*

*Copy of order passed by the District Magistrate of Hamirpur, dated October 8, 1926, on the application of AJUBHIA and JHAGORIA, Kachhis of Rath for enhancement of their wages referred to in the reply to starred question No 5(g) for March 29, 1927.*

The chaudhri clearly says that these labourers have no grievance; that fair wages are paid. There is no reason why these two men should be specially odious to the chaudhri. Evidently somebody else is pulling the strings. File.

S. S. NEHRU, I.C.S.,

District Magistrate.

S.10-1926. °

## APPENDIX C.

*(See page 982 Supra).*

## Statements.

## QUESTION NO. 11.

<i>District.</i>					<i>Number of suits.</i>
Bareilly	..	..	..	..	1,661
Bijnor	..	..	..	..	1,154
Budaun	..	..	..	..	..
Moradabad	..	..	..	..	446
Shahjahanpur	..	..	..	..	..
Pilibhit	..	..	..	..	1,295

## QUESTION NO. 12.

<i>Tahsil.</i>					<i>Number of suits.</i>
Moradabad	..	..	..	..	23
Thakurdwara	..	..	..	..	49
Sambhal	..	..	..	..	3
Hasanpur	..	..	..	..	217
Bilari	..	..	..	..	..
Amroha	..	..	..	..	154
				Total	446

## APPENDIX D.

(See page 983 *supra*).

*Statement showing the action taken on the recommendations of the Civil Justice Committee in part V of the résumé of recommendations: "Recommendations which require administrative action by local Governments."*

No.	Nature of recommendation.	Action taken or in contemplation.
1	More extensive use of the provisions of section 92, Act V of 1908, so as to empower subordinate judges and munsifs to hear and determine suits under that section.	In Agra the sessions and subordinate judge of Muttra, and in Oudh the sessions and subordinate judges of Bahraich and Kheri are empowered under section 92 of the Code of Civil Procedure to hear and determine suits under that section. The question of empowering other subordinate judges and munsifs under this section is under consideration.
2	More extensive use of powers of delegation under the Succession Certificate Act (VII of 1898), now incorporated in the Indian Succession Act (XXXIX of 1925).	All munsifs in Agra have been invested with power to exercise the functions of a district judge with respect to the grant of succession certificates within the local and pecuniary limits of their ordinary jurisdiction. Subordinate judges in Oudh have been similarly empowered.
3	More extensive devolution of powers under the Provincial Insolvency Act (V of 1920) to subordinate courts.	Powers have been delegated in Agra to three courts of small causes and sixteen courts of subordinate judges; and in Oudh to one court of small causes and two courts of sessions and subordinate judges.
4	More extensive use of the provisions of section 8 of the Land Acquisition Act (I of 1894) to appoint subordinate judges to hear and determine references under that Act.	The High Court is not in favour of the proposal, and no subordinate judge in the Agra province except the sessions and subordinate judge of Mirzapur has been invested with powers under the Act. In Oudh the Chief Court has accepted the proposal in principle, but in view of the heavy pending file in courts of subordinate judges, does not intend to make any proposal at present for investing subordinate judges with powers under the Act.
5	Use of the provisions of section 15(1), Provincial Small Cause Courts Act (IX of 1887), to increase the jurisdiction of officers invested with powers under that Act.	In the Agra province the courts of small causes at Agra, Allahabad, Baroilly, Benares, Cawnpore, Dehra Dun and Meerut, have been empowered to take cognizance of suits of a civil nature the value of which does not exceed Rs. 1,000. In Oudh it is proposed to invest the judge of the court of small causes in Lucknow with these powers.
	gement of territorial jurisdiction of provincial small cause	Both the High Court and Chief Court have accepted this proposal in principle, but neither Court has yet put forward any concrete proposals.
	gement of village courts to the relief of stipendiary	Government are doing everything in their power to foster the <i>panchayat</i> system. <i>Panchayats</i> throughout the province already have exclusive jurisdiction over suits triable by them and preferential jurisdiction over criminal cases cognizable by them.

No.	Nature of recommendation.	Action taken or in contemplation.
8	This recommendation did not relate to the United Provinces.	..
9	Improved training of officers in the Indian Civil Service before appointment as district and sessions judges.	A scheme for the legal training of Indian Civil Service officers was prepared some years ago, but owing to the shortage of officers it was impossible until recently to spare officers for a lengthy period of training. Two officers are now undergoing a course of special training with a view to appointment as district and sessions judges, if they are found suitable.
10	Training of judicial officers to enable them to take charge of commercial courts.	After consulting the High Court and Chief Court Government decided to take no action.
11	Necessity of a better system of official receivers under the Provincial Insolvency Act.	The Chief Court did not consider it necessary to appoint whole-time official receivers in Oudh. In Agra the question has been examined, but expense is a serious obstacle. The appointment of a whole-time receiver in one judgeship as an experimental measure has been approved by Government and awaits provision of funds.
12 13 14	} These recommendations do not relate to the United Provinces.	..
15	Rules under section 9 of the Suits Valuation Act (VII of 1887).	Rules were made under this section by the Judicial Commissioner of Oudh with the previous sanction of the local Government in 1889, and were subsequently revised. The High Court has made no proposals in the matter and the present system by which the plaintiff puts his own valuation on the relief has been found to work satisfactorily.
16	(1) Assistance in certain circumstances of process-servers by the police in the execution of arrest warrants.  (2) Preparation of returns of execution by collectors to be submitted through district judges to the High Court.  (3) The general reconsideration of the policy as to delegation of execution of decrees to collectors.	The proposal was considered by Government in consultation with the Inspector-General of Police but was not accepted.  The proposal that periodical returns of pending cases be prepared and submitted by the collector has been accepted and the system has been put into force.  The recommendation is not clearly worded, but it appears to be directed to those provinces in which the system is not in force, and therefore does not apply to the United Provinces.
17	Accurate preparation of the figures showing the annual receipts and expenditure of civil courts.	The matter is still under consideration.
18	Encouragement of the deposit and registration of Hindu wills.	Government have considered the question of taking measures to encourage the deposit and registration of wills, but have decided to take no action for present.



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

Wednesday, March 30, 1927.

THE Council met in the Council Chamber, Lucknow, at 11 A.M.  
The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT :

(93)

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Thakur Manak Singh.  
Thakur Pratab Bhan Singh  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kushal Pal Singh.  
Rao Krishna Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhawat Narayan Bhargava.  
Rao Udaibir Singh.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.

Pandit Decta Prasad.  
Babu Shyam Lal.  
Batu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Babu Ravendra Narayan Singh.  
Pandit Shri Sadayatan Pande.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Bhaya Hanumat Prasad Singh.  
Babu Ganga Prasad Roy.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Saukata Prasad Bajpai.  
Kunwar Surendra Pratap Sahi.  
Mr. C. Y. Chintamani.  
Mr. Zahur Ahmad.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahur-ud-din.  
Saiyid Tufail Ahmad.  
Khan Bahadur Shaikh Zia-ul-Haq.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Saiyid Jafer Husain.  
Khan Bahadur Shaikh Saiyid Muhammad, alias Maiku Mian.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Shambhu Dayal.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath Bakhsh Singh.  
Mr. J. P. Srivastava.  
Pandit Iqbal Narayan Gurtu.

## QUESTIONS AND ANSWERS.

## STARRED QUESTIONS.

## APPOINTMENT OF AN INDIAN SECRETARY TO GOVERNMENT.

\* 1. **Mr. C. Y. Chintamani :** (a) Did the Hon'ble Ministers for Local Self-Government and Public Health recommend to the Government to appoint an Indian officer to succeed Sir Ivo Elliott?

(b) Were they overruled, or did they acquiesce in the appointment that has been made?

**The Hon'ble Sir Sam O'Donnell :** As I have often said before, I am unable to make statements regarding discussions which may or may not have taken place within the Government.

**Mr. C. Y. Chintamani :** Is it the Finance Member or the Minister concerned with this department who may have made this recommendation and had that discussion?

**The Hon'ble Sir Sam O'Donnell :** The honourable member asked a question with regard to the discussion and the recommendation of the Minister. I have said I can make no statement regarding that matter.

## FUNCTIONS OF THE BOARD OF REVENUE.

\* 2. **Mr. C. Y. Chintamani :** (a) Have the Board of Revenue any executive functions other than such as may pertain to settlements and Court of Wards?

(b) If they have, what are they?

(c) Did they ask for the appointment of a settlement commissioner? On what grounds?

(d) Have commissioners <sup>and</sup> <sub>or</sub> collectors any duties in connexion with settlements? What are they?

(e) Did any of them ask for a settlement commissioner? On what grounds? What is their position *vis-à-vis* the settlement commissioner?

(f) What are the duties of the settlement commissioner?

(g) On how many previous occasions was a settlement commissioner appointed? When? And for what periods?

**The Hon'ble Sir Sam O'Donnell :** (a) and (b) The board have administrative functions in connexion with revenue buildings, stamps, Government and attached estates, mines and minerals. The reference of the honourable member is presumably to regular settlements, and, in addition to them, the board control the quinquennial revisions in Bundelkhand. They also deal with record operations and with roster operations under the new Rent and Tenancy Acts and are consulted by Government in many matters relating to revenue and records.

(c) Yes, on the grounds that the work could not be adequately done without the appointment of an officer in a position to associate himself intimately with the details of the work at its various stages and to co-ordinate the methods and standards of assessment in the large number of districts under settlement.

(d) When record operations are carried out in connexion with a settlement the collector is appointed record officer pending the appointment of a

full-time settlement and record officer and is expected to exercise a careful control over those operations in their initial stages. He also hears appeals from the orders of assistant record officers.

Where no settlement commissioner has been appointed the commissioner hears appeals from the orders of the settlement officers.

(e) No; the matter is one in which the initiative lies with the Board, who are in touch with the situation as a whole, and not with the local authorities, who are not. The settlement commissioner takes control of all works relating to settlement and to the revision of records.

(f) This question has been partly answered under (c). The duties of the settlement commissioner are to supervise under the general control of the Board all operations relating to settlement and to the revision of records. For this purpose he must examine and control the work of settlement officers at the successive stages of soil classification, formation of circles, and framing of circle and village rates both standard and statutory. He must also examine all assessments generally and of each mahal separately, and make certain that suitable standards of valuation and of assessment have been adopted and that the principles laid down in the new rules and in the Rent and Tenancy Acts have been understood and acted upon. He will also hear appeals in many matters arising out of settlement operations and will exercise control over the staffs employed in settlement offices and over settlement expenditure for the purpose of securing the utmost economy possible.

(g) A settlement commissioner was appointed from July 13, 1894, to July 17, 1899, to supervise settlements in Oudh.

An additional member of the Board was appointed from November 8, 1902 to October 9, 1906, to supervise settlements in Bundelkhand. A settlement commissioner was again appointed from November 1, 1914, to August 27, 1919, to supervise settlements in the eastern districts and the Meerut division.

**Mr. C. Y. Chintamani:** Will the Hon'ble Finance Member state whether since the discussion upon this subject in the Council he has thought of reconsidering the matter, and whether the Governor in Council will reconsider the case?

**The Hon'ble Sir Sam O'Donnell:** No. The case has been finally disposed of.

#### PROSECUTION OF DEPUTY COLLECTORS.

\* 3. **Mr. C. Y. Chintamani:** (a) Have the Government in contemplation the prosecution of any deputy collectors at an early date?

(b) Is this the result of police inquiry or of inquiry and report by commissioners <sup>and</sup> <sub>or</sub> collectors?

(c) Will the Government consider the substitution of inquiry by the latter for inquiry by the former?

(d) Have the Government made an order that, in addition to the annual confidential reports, collectors should separately report every year on the integrity of deputy collectors?

(e) Will deputy collectors be afforded adequate opportunities of submitting explanations in their defence against accusations against their integrity?

**The Hon'ble Sir Sam O'Donnell:** (a) Two cases have recently been instituted.

(b) Of both.

(c) Does not arise.

(d) I cannot give the honourable member information about confidential reports.

(e) Yes; should occasion arise.

DISMISSAL OF JWALA PRASAD, ASSISTANT ENGINEER, GANGES CANAL, ROORKEE.

\*4. **Mr. C. Y. Chintamani:** (a) Was Mr. Jwala Prasad, Assistant Engineer, Northern division, Ganges Canal, Roorkee, dismissed from service last year?

(b) How many years of service had he put in and what salary was he drawing at the time of dismissal?

(c) Under what rules of what law was the order of dismissal made?

(d) Were the requirements of the rules complied with?

**The Hon'ble Sir Sam O'Donnell:** (a) Yes.

(b) 23 years. Rs. 710 per mensem.

(c) Under rule XIII of the Civil Services (Governor's Provinces) classification rules framed by the Secretary of State for India under sub-section (2) of section 96 B of the Government of India Act.

(d) Yes.

\*5. **Mr. C. Y. Chintamani:** (a) Was Mr. Jwala Prasad's dismissal preceded by "a properly-recorded departmental inquiry?"

(b) Was it "conducted in accordance with the procedure prescribed in the rules?"

(c) Was "a definite charge in writing" "framed in respect of each offence and explained to the accused?"

(d) Was "the evidence in support of it, and any evidence which" the accused "may deduce in his defence" "taken down in writing?"

(e) Was the accused given a fair and an adequate opportunity of adducing his defence?

(f) Did the Government's order of dismissal "discuss" "each of the charges framed" and "record" "a finding" "on each charge?"

**The Hon'ble Sir Sam O'Donnell:** (a), (b), (c) and (e) Yes.

(d) The case against him was that he had deliberately overmeasured certain work. The evidence of this was the amount of work found at site. He was taken to the site and given every opportunity of pointing out work done which approximated in any way to that entered by him in the measurement book and paid for. He did not ask that any witnesses should be examined on his behalf, but he submitted a written explanation.

(f) No.

\*6. **Mr. C. Y. Chintamani:** Will the Government be pleased to place on the table copies of the record of the departmental inquiry, the order of dismissal, and the rules under which the Government acted?

**The Hon'ble Sir Sam O'Donnell:** A copy of the rules\* is placed on the table. As regards the other documents the answer is in the negative.



\*7. **Mr. C. Y. Chintamani :** (a) Were the requirements of paragraph (vii) of rule I of article 26 of the Irrigation Manual of Orders, as amended by Standing Order No. 161, complied with ?

(b) Will a copy of this Standing Order and of the report of action based thereupon be placed upon the table ?

**The Hon'ble Sir Sam O'Donnell :** (a) No. The rule referred to did not apply in Mr. Jwala Prasad's case.

(b) A copy of the standing order\* is placed on the table. The honourable member is referred to the answer given to part (a) of this question.

\*8. **Mr. C. Y. Chintamani :** (a) Was rule 53 of the Financial Handbook, Volume II, complied with ?

(b) Was Mr. Jwala Prasad deprived of subsistence allowance during the period of suspension preceding the order of dismissal ?

(c) Was this mistake corrected as a result of an appeal to the Governor ?

**The Hon'ble Sir Sam O'Donnell :** (a) and (b) Mr. Jwala Prasad was not granted a subsistence allowance in the first instance because it was held that Fundamental Rule 42(a), which is permissive, governed the case, and that the officer was not deserving of any allowance.

(c) On appeal it was decided to give Mr. Jwala Prasad the benefit of Fundamental Rule 53, which had been overlooked in the first instance.

#### PAY OF JUDGEMENT-WRITERS AND STENOGRAPHERS OF THE HIGH COURT.

\*9. **Mr. C. Y. Chintamani :** (a) Have Government been addressed by the Hon'ble High Court on the subject of the pay of the judgement-writers and stenographers of that Court ?

(b) Have the Government considered the subject ? With what result ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Yes.

(b) The question is under consideration.

#### HONORARY MAGISTRATE OF HARDOI.

\*10. **Mr. C. Y. Chintamani :** (a) Is it a fact that the District Magistrate of Hardoi remarked in the annual administration report on criminal justice for the year 1925 that one of the honorary magistrates in that district was not above suspicion ?

(b) If the answer be in the affirmative, who was (or is) that magistrate, and has he been deprived of his powers ?

(c) If not, why not ? Do they propose now to do so ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) No.

(b) and (c) Do not arise.

**Mr. C. Y. Chintamani :** Will the Hon'ble Home Member be pleased to make further inquiries from the District Magistrate of Hardoi ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** We made inquiries from the District Magistrate of Hardoi and he assured us that his predecessor left no note.

## GRANT-IN-AID TO THE AGRICULTURAL INSTITUTE, ALLAHABAD.

\* 11. **Mr. C. V. Chintamani** : Have Government received from the Board of the Directors of the Allahabad Agricultural Institute a petition for a grant-in-aid, and what orders have they passed thereon ?

**The Hon'ble Thakur Rajendra Singh** : An application has recently been received and is being examined.

## OMISSION OF HONORARY OFFICERS FROM THE CIVIL LIST.

\* 12. **Pandit Shri Sadayatan Pande** : Will the Government be pleased to state why the list of honorary magistrates and honorary assistant collectors has been omitted from the Civil List ?

**The Hon'ble Sir Sam O'Donnell** : For reasons of economy. A proposal to restore the Civil List to its original form is under consideration.

**Pandit Shri Sadayatan Pande** : How long is it likely to take now ?

**The Hon'ble Sir Sam O'Donnell** : I am sorry I cannot say. It is under consideration—it will cost extra money and it will take time to consider the matter to get estimates and so forth.

**Pandit Shri Sadayatan Pande** : Will the consideration involve a great deal of time ?

**The Hon'ble Sir Sam O'Donnell** : I do not think it will take a great deal of time for consideration.

## POWER-BORING PLANT.

\* 13. **Khan Bahadur Hafiz Hidayat Husain** : Is it a fact that large quantities of power-boring plants were purchased by the Agricultural Engineer from Australia about ten years ago ? What is the value of the plants so purchased ? Have they been utilized ? What is the value of the unutilized plants ? Is there any prospect of these plants being utilized in the near future ? Do Government approve of public money being locked up in this way ?

**The Hon'ble Thakur Rajendra Singh** : From 1914 to 1917 experiments were made with power-boring plant purchased from Australia. The total amount spent was Rs 32,392.

The power-boring plant was used for some time and did excellent work. It was ultimately found more expensive to use than boring plant worked by manual labour. Power-boring will be utilized again if labour conditions change.

Government consider that the expenditure on experimental plant was justified.

## VETERINARY DISPENSARIES.

\* 14. **Khan Bahadur Hafiz Hidayat Husain** : Are veterinary dispensaries under the control of the district boards ?

Have Government considered the question of transferring them to the Agricultural department ?

**The Hon'ble Thakur Rajendra Singh** : Yes, excepting three dispensaries which are under the control of municipal boards. As regards the second part of the question the answer is in the negative.

DISTRICT MAGISTRATES AND DEPUTY MAGISTRATES.

\* 15. **Thakur Har Prasad Singh** : Will the Government be pleased to lay on the table a statement showing the following details ? :—

- (a) Names of district magistrates and deputy magistrates who are posted at one station for the last three years or more.
- (b) Reasons why they have not been transferred after the expiry of three years.
- (c) The names of district magistrates and deputy magistrates who, after availing of a long leave, were again posted to the same station whence they took leave.
- (d) Reasons why they have been again posted to the same station.

**The Hon'ble Sir Sam O'Donnell** : (a) The honourable member is referred to the Civil List.

(b) It is not the practice to transfer officers after three years in a district.

(c) A list is laid on the table.

(d) In the public interest.

\* 16. **Thakur Har Prasad Singh** : Will the Government be pleased to state its policy relating to the keeping of an officer in one station for more than three years or posting him again to the station whence he went on long leave ?

**The Hon'ble Sir Sam O'Donnell** : The honourable member is referred to the answers to parts (b) and (d) of question No. 15.

(See Appendix A, page 1125.)

\* 17 to \* 28. **Thakur Manjit Singh Rathor** : [*Postponed at the request of the Government till the first day of the next session of the Council.*]

\* 29 to \* 31. **Mr. Muhammad Habib** : [*Postponed at the request of the Government till the first day of the next session of the Council.*]

BUDGET GRANT FOR GOVERNMENT INTERMEDIATE COLLEGES.

\* 32. **Mr. Muhammad Habib** : Will the Government be pleased to explain how it proposes to distribute Rs. 23,49,425 asked for in the budget for Government intermediate colleges (grant No. 22, pages 105 and 113 of the Detailed estimates) among the various colleges ?

**The Hon'ble Rai Rajeshwar Bali** : The details are given on page 113 of the Detailed estimates.

\* 33. **Mr. Muhammad Habib** : Will the Government be pleased to give (a) the number of students in the Government intermediate colleges, together with (b) the number of staff in each college belonging to the Provincial and the Imperial service grade ?

**The Hon'ble Rai Rajeshwar Bali** : A statement is laid on the table of the honourable member.

(See Appendix B, page 1125.)

BUDGET GRANT FOR UNIVERSITY EDUCATION.

\* 34. **Mr. Muhammad Habib** : Will the Government be pleased to explain how it proposes to distribute Rs. 3,64,860 asked for in the bud-

(grant No. 22, University education—Grant to non-Government arts colleges, page 105 of the Detailed estimates) among the non-Government arts colleges?

**The Hon'ble Rai Rajeshwar Bali:** The amount will be distributed amongst the colleges according to the amounts earned by them under the rules (vide paragraph 396 of the Education Code.)

#### PAY OF THE CLERICAL STAFF OF THE DISTRICT AND RAILWAY POLICE.

\* 35. **Pandit Brijnandan Prasad Misra:** On what grounds was the increment, sanctioned to the clerical staff of the police, extended to the district police clerks from March 1, 1924, and to the Government railway police clerks from March, 1916?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The Police Decentralization Committee of 1923 recommended increases in the pay of the district police clerical staff and the Government made provision in the budget of 1924-25, so that the increases came into force from March 1, 1924. The case of the clerical staff of the Government Railway Police, who form a separate cadre, was not referred to the Decentralization Committee and proposals for an increase of their pay were not made until 1925. The increase was, therefore, given from March 1, 1926. The Government considered that there were not sufficient reasons for allowing the increase with retrospective effect.

\* 36. **Pandit Brijnandan Prasad Misra:** Why was not the revision of pay, sanctioned under the Pike scheme, extended to the English branch of the Government railway police? Was it given to district police clerks and also to the vernacular branch?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** An increment was sanctioned by Government in connexion with the Pike scheme to all district police office clerks except 38, whose pay remained unaffected. An increment was also given to the vernacular staff of Government Railway Police offices. Orders were issued later sanctioning an increment to the English office clerks of Government Railway Police offices, but no effect was given to these orders because they were immediately followed by orders under the Silberrad scheme which gave a still further increase.

#### EXTENSIONS TO THE OFFICE SUPERINTENDENT OF THE ASSISTANT TO INSPECTOR-GENERAL OF RAILWAY POLICE, ALLAHABAD.

\* 37. **Pandit Brijnandan Prasad Misra:** (1) How many extensions have been granted to the office superintendent of the Assistant to Inspector-General of Railway Police, Allahabad?

(2) What is the age of the particular incumbent, and how many years of Government service has he, in all, already put in?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (1) Five.

(2) His age is 58 years and 7 months. His total length of service is 35 years and 7 months.

#### VINAYAK MEHTA LIBRARY OF SULTANPUR.

\* 38. **Pandit Brijnandan Prasad Misra:** Is the Government aware of the useful work the Vinayak Mehta library is doing for the public of Sultanpur?

\* 39. Is it a fact that this library is at present in financial difficulty and the flower-pots and some books were sold off by the district officer of the district in his capacity of the chairman of the Library Trust to meet the costs of its expenses? Is it also a fact that the promises of subscriptions and contributions have remained uncollected?

\* 40. Is it also a fact that the contractor who constructed the library building has threatened to sue the library for the arrears of his balance in regard to construction, which is about Rs. 2,000?

**The Hon'ble Rai Rajeshwari Bali:** Government have no information.

\* 41. **Pandit Brijnandan Prasad Misra:** Has this library received any grant from the Government, or is any grant under contemplation for this institution?

**The Hon'ble Rai Rajeshwar Bali:** No.

**Thakur Manjit Singh Rathor:** Has the Government any intention to make a grant?

**The Hon'ble Rai Rajeshwar Bali:** So far as I am aware no application has been received. If it is received it will be considered on its merits.

#### AGRICULTURAL FARM IN BUNDELKHAND.

\* 42. **Thakur Har Prasad Singh:** Will the Government be pleased to give the following information for Bundelkhand?:—

- (a) How many agricultural farms were started by private individuals at the inducement of the Agriculture Department within the last ten years?
- (b) Names of proprietors of such farms?
- (c) Amount of Government loan which each such proprietor took from the Government?
- (d) Remissions made by the Government in such loans?
- (e) Area of each such farm?
- (f) Whether they are being run at a loss or profitably?
- (g) Whether imported implements are used in each farm or Hindustani ones?

**The Hon'ble Thakur Rajendra Singh:** A statement is laid on the honourable member's table.

*(See Appendix C, page 1126.)*

#### FUNCTIONS AND DUTIES OF AGRICULTURAL ENGINEER.

\* 43. **Thakur Har Prasad Singh:** What are the functions and duties of the Agricultural Engineer?

**The Hon'ble Thakur Rajendra Singh:** The agricultural engineer is responsible for the organization and control of the technical work of the agricultural engineering section.

## TUBE WELLS SUNK BY AGRICULTURAL DEPARTMENT.

\* 41. **Thakur Har Prasad Singh :** (a) How many tube wells have been sunk by or under the supervision of the Agricultural department since its establishment?

(b) How many of them have proved successful?

(c) What has each such well cost?

(d) Was any *tagavi* given to any private individual for constructing tube wells? If so, to whom and how much?

(e) Has the Government realized the whole of such *tagavi*, or has it remitted any portion thereof? If so, to whom?

**The Hon'ble Thakur Rajendra Singh :** (a) and (b) 226 tube wells with engines and pumping plant, have been successfully completed up to June 30, 1926.

(c) The average cost to zamindars of such tube well is Rs. 8,000. This does not include charges for preparation of projects, construction, and supervision which are borne by Government.

(d) and (e) *Tagavi* advances up to the full cost of the tube well engine and pumping plant have been made in a very large number of cases.

From July 21, 1915 to June 30, 1926, Rs. 1,94,422 was advanced. The list of persons to whom it was advanced is laid on the honourable member's table. No cases have been reported by the district authorities in which recovery has not been made in full.

The collection of detailed information since the establishment of the agricultural engineering section will involve an amount of labour which will be disproportionate to its value.

(See Appendix D, page 1128.)

## TRACTORS OWNED BY GOVERNMENT.

\* 45. **Thakur Har Prasad Singh :** (a) How many tractors are owned by the United Provinces Government?

(b) Are they all in working order?

(c) Has *mar* or *kabar* land of Bundelkhand been cultivated with tractor? If so, with what result?

**The Hon'ble Thakur Rajendra Singh :** (a) Six.

(b) All except one.

(c) In 1881 an area of 847 acres was ploughed with a steam tractor in the Banda district on good *mar* soil. The tractor was not popular at the time owing to high cost. Recently trials were made on 50 acres of *mar* and *kabar* land and gave satisfactory results.

\* 46. **Rai Sahib Lala Jagdish Prasad :** [Postponed at the request of the Government till the first day of the next session of the Council.]

## EXCISE BOARD IN SAHARANPUR.

\* 47. **Chaudhri Mangat Singh :** Is there any excise board in district Saharanpur? If yes, who are its members? Is any representative of the people a member of this excise board? Is any member of the district board a member of this excise board? How many meetings has this excise board held during the year 1926?

**The Hon'ble Thakur Rajendra Singh :** A reply will be given at a later date.

SUB-DISTRICT BOARD, ROORKEE, SAHARANPUR.

\* 48. **Chaudhri Mangat Singh**: What have the Government decided about the sub-district board, Roorkee district, Saharanpur? Is it still a sub-board or a mere tahsil committee?

**The Hon'ble Nawab Muhammad Yusuf**: The Government are prepared to leave this question of local organization to the discretion of the district board. The committee at Roorkee is a tahsil committee.

CO-OPERATIVE SOCIETY IN SAHARANPUR.

\* 49. **Chaudhri Mangat Singh**: Is there any co-operative society in Saharanpur? Who are its managing directors?

**The Hon'ble Thakur Rajendra Singh**: Yes; the Saharanpur district co-operative bank of whom the managing director is Pandit Brij Bhukhan Lal Sharma.

NEW CO-OPERATIVE TRAINING CLASS.

\* 50. **Chaudhri Vijai Pal Singh**: Has the new co-operative training class begun?

**The Hon'ble Thakur Rajendra Singh**: Yes.

TIME-SCALE PAY TO TREASURY CLERICAL STAFF.

\* 51. **Chaudhri Vijai Pal Singh**: (1) Will the Government be pleased to state whether there are proposals under consideration regarding the extension of time-scale pay rules to the Treasury clerical staff?

(2) If the reply be in the affirmative, will the Government be pleased to state when the enforcement is to take place?

**The Hon'ble Sir Sam O'Donnell**: (1) No.

(2) Does not arise.

NOMINATION OF THE DEPRESSED CLASS MEMBER TO THE MEERUT MUNICIPALITY.

\* 52. **Chaudhri Vijai Pal Singh**: Will the Government be pleased to state why the representative of the depressed classes in Meerut Municipal board has not been nominated?

**The Hon'ble Nawab Muhammad Yusuf**: Government are not prepared to say, but propose to make a nomination now.

\* 53. **Chaudhri Vijai Pal Singh**: Is it also a fact that one of the depressed classes has been already recommended by the Commissioner of Meerut for nomination and that his recommendation has as yet not been accepted?

**The Hon'ble Nawab Muhammad Yusuf**: Yes.

**Chaudhri Vijai Pal Singh**: Will the Hon'ble Minister be pleased to give reasons?

**The Hon'ble Nawab Muhammad Yusuf**: I have already said it is in the discretion of the Government.

## RASAD AND BEGAR.

\* 54. **Chaudhri Vijai Pal Singh** : Will the Government be pleased to place on the table a copy of the *rasad* and *begar* rules obtaining in these provinces ?

**The Hon'ble Sir Sam O'Donnell** : The rules are contained in paras. 441 to 444 of the Manual of the Government Orders, a copy of which is in the Council library.

RULES AND REGULATIONS RELATING TO THE INSPECTION OF JAILS BY  
NON-OFFICIAL VISITORS.

\* 55. **Chaudhri Vijai Pal Singh** : Will the Government be pleased to place on the table a copy of rules and regulations regarding the inspection of jails by non-official visitors ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : The honourable member is referred to the Jail Manual, 1924, paras. 90 and 94, and to the Manual of Government Orders, paras. 955, 957, and 958, as amended. Copies of these Manuals will be found in the Legislative Council library.

\* 56. **Chaudhri Vijai Pal Singh** : [ *Postponed at the request of the Government till the first day of the next session of the Council* ]

LIQUOR SHOPS AT BARAGAON AND SHAHBAZNAGAR, SHAHJAHANPUR.

\* 57. **Thakur Sadho Singh** : (a) Is the Government aware that two liquor shops at Baragaon and Shahbaznagar were closed last year with the unanimous recommendation of the Excise Advisory Committee of Shahjahanpur district ?

(b) Is it a fact that both these shops have been re-opened this year ? Have they been opened at the instance of the excise officer and the chairman of the committee ?

(c) Is it a fact that both these shops are situated within two miles of Pawayan tahsil liquor shop and Shahjahanpur municipality, respectively ?

(d) Is it a fact that the inhabitants of Baragaon complained about re-opening of the shop in that village ?

(e) Was any complaint of illicit distillation made from these localities ?

(f) Is it a fact that the proposals of re-opening these shops was not specifically noted in the agenda of the notice of the meeting held for the purpose ?

**The Hon'ble Thakur Rajendra Singh** : (a) Yes.

(b) The reply to the first part of the question is in the affirmative, and to the second in the negative. The two liquor shops have been re-opened in pursuance of the recommendation of the district excise advisory committee.

(c) No.

(d) No.

(e) No.

(f) Government understand that the number and location of excise shops was one of the items on the agenda paper.

**Thakur Sadho Singh** : About (c) what is the real distance of these newly-opened shops ? The question is " Is it a fact that both these shops



are situated within two miles of Pawayan tahsil liquor shop and Shahjahanpur municipality, respectively ? ”

**The Hon'ble Thakur Rajendra Singh :** I have already answered that question.

**Thakur Sadho Singh :** What is the actual distance ?

**The Hon'ble Thakur Rajendra Singh :** I think it is over two miles.

**Thakur Sadho Singh :** It is not three miles even ?

**The Hon'ble the President :** Might require a survey.

**Thakur Sadho Singh :** As regards (f) will the Government be pleased to refer the matter again to the advisory committee ?

**The Hon'ble Thakur Rajendra Singh :** No.

#### EXCISE OFFICERS AS MEMBERS OF ADVISORY COMMITTEE.

\*58. **Thakur Sadho Singh :** What has led the Government to appoint excise officers as members of excise advisory committees of districts ?

**The Hon'ble Thakur Rajendra Singh :** The honourable member is referred to paragraph 2 of Excise department resolution No. 429/XIII—162, dated October 30, 1923, published in the *Government Gazette* of November 3, 1923.

#### SUB-DEPUTY AND DEPUTY INSPECTORS OF SCHOOLS.

\*59. **Lieut. Raja Durga Narayan Singh :** Will the Government be pleased to state how many years' average service a sub-deputy inspector of schools has to put in before he rises to deputy inspectorship, and also what is usually the period of service that a deputy inspector puts in before retirement ?

**The Hon'ble Rai Rajeshwar Bali :** Fifteen ; fifteen years.

\*60. **Lieutenant Raja Durga Narayan Singh :** Is it a fact that the present rate of annual increment of the deputy inspector's salary is such that they would not be able to reach the topmost limit in their time-scale before retirement ? If not, how many will be able to reach it granting that all would be efficient enough to cross the efficiency bar ?

**The Hon'ble Rai Rajeshwar Bali :** Yes. Twelve can reach the maximum.

\*61. **Lieut. Raja Durga Narayan Singh :** Will the Government be pleased to say how many sub-deputy inspectors of schools were not allowed to cross the efficiency bar of promotion in the year 1926 ? Have they been informed individually for what reasons their promotions were stopped ? Is this check only temporary or subject to reconsideration ?

**The Hon'ble Rai Rajeshwar Bali :** Eight. The divisional inspectors were informed, and they presumably informed the officers concerned. Yes, provided their work is satisfactory.

**Lieut. Raja Durga Narayan Singh :** As regards question No. 61 I want to know if the chairmen of district boards were consulted.

**The Hon'ble Rai Rajeshwar Bali :** I think we received their opinions. I am not sure if they were consulted.

**Lieut. Raja Durga Narayan Singh :** Will the Government make an inquiry about it?

**The Hon'ble Rai Rajeshwar Bali :** Yes, I shall make an inquiry.

\*62 to \*68. **Raja Saiyid Ahmad Ali Khan Alvi :** [*Postponed at the request of the Government till the first day of the next session of the Council.*]

#### MUHARRAM HOLIDAYS.

\*69. **Raja Saiyid Ahmad Ali Khan Alvi :** Is it a fact that the Chief Court of Oudh recommended that holiday for ten days be granted for *Muharram*?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes, in 1925.

\*70. **Raja Saiyid Ahmad Ali Khan Alvi :** Is it a fact that the local Government did not accede to the Chief Court's recommendation and cut down the period to seven days?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\*71. **Raja Saiyid Ahmad Ali Khan Alvi :** Is the Government aware that the curtailing of the *Muharram* holidays is causing dissatisfaction among the Muhammadans?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Government are aware that the question has been agitated, but it does not arise at present as the *Muharram* holidays this year are in continuation of the annual vacation of the Chief Court and the courts subordinate thereto, and therefore the first ten days of *Muharram* are all holidays.

\*72. **Raja Saiyid Ahmad Ali Khan Alvi :** Is the Government aware that the first ten days of *Muharram* are religiously observed by Muhammadans as days of mourning?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\*73. **Raja Saiyid Ahmad Ali Khan Alvi :** Do Government intend to extend the period of *Muharram* holidays to ten days?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The question will be considered.

#### NUMBER OF MUHAMMADAN HOLIDAYS.

\*74. **Raja Saiyid Ahmad Ali Khan Alvi :** Is it a fact that the number of Muhammadan holidays in the year is less than that of other communities?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

#### POWERS OF DELEGATION GIVEN TO LOCAL BODIES.

\*75. **Mr. C. Y. Chintamani :** Will the Hon'ble Minister of Local Self-Government be pleased to state which, if any, district and municipal boards have availed themselves, and in what respect and to what extent of the

powers of delegation given to them by the two Acts passed last year at Naini Tal?

**The Hon'ble Lieut. Nawab Muhammad Yusuf :** Budaun district board alone has availed itself of the power and has framed regulations delegating powers to the civil surgeon to appoint officers drawing pay up to Rs. 12 per mensem and to suspend and punish vaccinators.

AMENDMENTS INSERTED IN THE TENTH REPORT OF THE PUBLIC  
ACCOUNTS COMMITTEE

\*76. **Mr. C. Y. Chintamani :** What action have Government taken or do they propose to take to carry into effect the amendments inserted in the tenth report of the Committee on Public Accounts by this Council on January 29?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Government have accepted the amendment subject to one slight modification, which does not affect the general principle. The arrangements for the purchase of grain for the jails for the coming year are being made through the Stores Purchase department. The Stores Purchase Officer will call for tenders, open and tabulate them. The grain purchase committee, of which the Stores Purchase Officer is a member, will then consider the tenders and make the final selection. The existing practice in all cases of purchase through the Stores Purchase department will then be followed, namely, that all subsequent stages will be handled by the department concerned.

TOKEN CUTS MADE IN THE BUDGETS BY THE COUNCIL.

\* 77. **Babu Sampurnanand :** Will the Government lay on the table a statement showing all the token cuts made in the last three budgets by the Council and the action taken by the Government on each such cut?

**The Hon'ble Sir Sam O'Donnell :** A statement is laid on the table.

(See Appendix E, page 1129.)

**Babu Sampurnanand :** With reference to the third item of 1924-25, is the Government aware if the Government of India have taken any steps or intend to take any steps in the near future?

**The Hon'ble Sir Sam O'Donnell :** This is a question which should be addressed to the Hon'ble Minister.

**Babu Sampurnanand :** May I ask the Hon'ble Minister a question, Sir? Here it is stated: "Government have brought the views expressed in debate to the notice of the Government of India." I want to know if this Government is aware if the Government of India have taken any steps or intend to take any steps in the near future?

**The Hon'ble Rai Rajeshwar Bali :** Rose to reply.

**Mr. C. Y. Chintamani :** Before the Hon'ble Minister answers may I inquire whether it is in order for one member to answer the original question and for another to answer the supplementary questions.

**The Hon'ble the President :** The original question was addressed to the Government.

**Mr. C. Y. Chintamani :** But Government has to decide which member is in charge of the question.

**The Hon'ble the President:** The original question was addressed to "Government." In reply to the supplementary question the Finance Member said that the Minister of Education would be the proper person to reply to it. The question being addressed to the Minister, he was ready to reply. Besides, a member of Government means a member of the Executive Council or Minister and includes any member to whom a function may be delegated. I see no objection to the Hon'ble Minister replying to a supplementary question relating to a department under his charge.

**Mr. C. Y. Chintamani:** The interpretation of the rules is in your charge, Sir, but I submit that it is against all precedent and practice.

**The Hon'ble the President:** Does the honourable member mean any insinuation on the Chair?

**Mr. C. Y. Chintamani:** I had taken care to say in the beginning that the interpretation of the rules is in your charge, and I have only brought to your notice that precedent and practice are against it.

**The Hon'ble Rai Rajeshwar Bali:** We addressed the Government of India long ago.

**Babu Sampurnanand:** Does Government intend to remind the Government of India?

**The Hon'ble Rai Rajeshwar Bali:** I believe the whole question of the re-organization of the Imperial Services operating in the Transferred departments is under the consideration of the Government of India and the Secretary of State.

**Babu Sampurnanand:** As regards the first item, for 1925-26, does the Government contemplate taking any action in the matter at an early date, I mean with regard to district advisory committees?

**The Hon'ble Sir Sam O'Donnell:** No.

**Babu Sampurnanand:** May I know the reasons for that?

**The Hon'ble Sir Sam O'Donnell:** They were given in the debate on the subject.

**Babu Sampurnanand:** As regards the seventh item for 1925-26—Administration of Justice—is the Government aware whether the High Court or the Judicial Commissioner has taken any action in the matter?

**The Hon'ble Sir Sam O'Donnell:** I really could not say.

**Babu Sampurnanand:** Will the Government kindly inquire?

**The Hon'ble Sir Sam O'Donnell:** My honourable friend the Home Member will, no doubt, inquire.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I shall make the necessary inquiry.

**GOVERNMENT ALLOTMENT FOR PHYSICAL CULTURE IN JHANSI DIVISION.**

\* 78. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state the particular ways in which the money allotted by Government for physical culture in villages was spent in Jhansi division?

**The Hon'ble Rai Rajeshwar Bali:** Inquiry has been made. A reply will be given at later date.

**PASSED STUDENTS OF TECHNICAL SCHOOLS AT CAWNPORE, BAREILLY, AND LUCKNOW.**

**\* 79. Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state the number of students who passed final examinations from the technical schools at Cawnpore, Bareilly, and Lucknow during the last three years and the number of those whom the Industries department helped to get employment?

**The Hon'ble Thakur Rajendra Singh:** The following number of students passed the final examinations:—

Cawnpore	...	...	...	139
Bareilly	...	...	...	164
Lucknow	...	...	...	106

The number of students whom the Industries department helped to get employment are 34, 65 and 67, respectively.

**Raja Jagannath Bakhsh Singh:** What action does the Government propose to take or has taken to get appointments?

**The Hon'ble Thakur Rajendra Singh:** The Industries department is trying to find employment for these men.

**Raja Jagannath Bakhsh Singh:** What is the Industries department doing to find employment for these persons?

**The Hon'ble Thakur Rajendra Singh:** They negotiate with firms and other persons who stand in need of such persons.

**Raja Jagannath Bakhsh Singh:** I want to know what they are doing or have done so far, and for how many persons they propose to find employment under the scheme they may have at present?

**The Hon'ble the President:** That is a separate question altogether which will require notice.

**CATTLE SLAUGHTERED IN THE UNITED PROVINCES.**

**\* 80. Pandit Bhagwat Narayan Bhargava:** How many cattle were slaughtered in the United Provinces for purpose of consumption and how many for trade during the last three years?

**The Hon'ble Nawab Muhammad Yusuf:** Information is not yet complete. A reply will be given on a subsequent date.

**RELIGIOUS INSTRUCTION IN JAILS.**

**\* 81. Pandit Bhagwat Narayan Bhargava:** Have the Government appointed any religious instructors in jails? If so, where and how many?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Government do not actually appoint religious instructors in jails. They have agreed to the admission to the jails of approved voluntary workers for the purpose of giving religious instruction at times to be fixed by the superintendents of the jails. Such voluntary workers visit the following jails:—

Rae-Bareilly, Cawnpore, Muttra, Banda, Fatehpur, Muzaffarnagar, Orai, and Azamgarh.

## DRAIN AT CHIRGAON, JHANSI.

\*82. **Pandit Bhagwat Narayan Bhargava:** (a) Will the Government be pleased to state if it has obtained the consent or the recommendation of town *panchayat* of Chirgaon (Jhansi) for constructing a drain?

(b) If not, on whose suggestion does it intend to incur the expenditure?

**The Hon'ble Nawab Muhammad Yusuf:** (a) Yes.

(b) Does not arise.

\*83. **Pandit Bhagwat Narayan Bhargava:** What is the total estimate for constructing the drain?

**The Hon'ble Nawab Muhammad Yusuf:** Rs. 75,000, of which works costing Rs. 35,000 will be taken up at present.

## LATRINES FOR WOMEN AT CHIRGAON.

\*84. **Pandit Bhagwat Narayan Bhargava:** (a) Does the district magistrate or town magistrate of Chirgaon intend to have some latrines constructed for women outside the town.

(b) If so, how far from the residences of the town-people, and why?

**The Hon'ble Nawab Muhammad Yusuf:** (a) The *panchayat* have provided Rs. 500 in their budget for this purpose.

(b) This information will be communicated to the honourable member when received.

## TOWN AREAS OF RANIPUR AND CHIRGAON, JHANSI.

\*85. **Pandit Bhagwat Narayan Bhargava:** Is the Government aware that the town areas of Ranipur and Chirgaon are desirous of having them converted into notified areas?

**The Hon'ble Nawab Muhammad Yusuf:** Yes.

\*86. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to state what action has the district magistrate taken in that connexion?

**The Hon'ble Nawab Muhammad Yusuf:** The Ranipur town area has sent detailed proposals which the district magistrate is examining. The Chirgaon town area has not sent detailed proposals, but has been asked to do so.

## OFFICIAL CHAIRMEN IN MUNICIPAL AND DISTRICT BOARDS.

\*87. **Pandit Bhagwat Narayan Bhargava:** Will the Government be pleased to give the names of municipal and district boards which have got official chairmen?

**The Hon'ble Nawab Muhammad Yusuf:** The names of municipal boards having official chairmen are as follows:—

Naini Tal, Roorkee, Hardwar Union, and Sahaswan. No district board has an official chairman.

VERNACULAR TRANSLATION OF THE REPORTS OF SUPERINTENDENTS  
ON INDUSTRIAL SURVEY.

\*88. **Pandit Bhagwat Narayan Bhargava**: Has the Government considered the advisability of publishing vernacular translations of the reports of superintendents on industrial survey?

**The Hon'ble Thakur Rajendra Singh**: Yes; but in view of the slight demand and heavy cost of publication they have decided not to publish translations.

UNSTARRED QUESTIONS.

1. **Rai Sahib Lala Jagdish Prasad**: [*Postponed at the request of the Government till the first day of the next session of the Council.*]

GUJAR COMMUNITY.

2. **Chaudhri Mangat Singh**: (a) What is the total population of the Gujar community in these provinces?

(b) Is it a fact that there is not a single Gujar in the Provincial Civil, Police or Judicial listed post?

**Mr. G. B. Lambert**: (a) 337,391.

(b) A caste record is not maintained, but the position is believed to be as stated by the honourable member.

3. **Chaudhri Mangat Singh**: (a) Did the Government ever receive a representation from the community regarding this state of affairs? If so, when?

(b) Was any name suggested by the community for any gazetted post? If yes, whose?

(c) Is the Government aware of the military services of this community?

**Mr. G. B. Lambert**: (a) Yes, in 1922.

(b) Yes; that of Babu Hemraj Singh.

(c) Yes.

4. **Chaudhri Mangat Singh**: Have the Government any intention to remove the legitimate grievances of the Gujar community as regards this matter?

**Mr. G. B. Lambert**: Every community has an equal chance in the examinations and before the selection committee. The Government cannot undertake to base recruitment for the provincial services on caste considerations.

DIRECT APPOINTMENTS FROM CERTAIN COMMUNITIES IN PROVINCIAL  
CIVIL SERVICE.

5. **Chaudhri Mangat Singh**: Will the Government be pleased to say if direct appointments at any time in the Provincial Civil Service were granted to the Jats, Ahirs, Jains, etc., merely on the representations of these communities?

**Mr. G. B. Lambert**: Not during the last ten years.

## AGRICULTURAL ENGINEER.

6. **Khan Bahadur Hafiz Hidayat Husain:** How much money was promised to be advanced, or was actually advanced, to Khan Bahadur Wahid-ud-din of Meerut by the Agricultural Engineer for water channels for irrigation purposes?

Has the Agricultural Engineer now declined to deal with the said Khan Bahadur? If so, why? Why was the promise not kept with him?

**Kunwar Jagdish Prasad:** No money was promised or actually advanced to Khan Bahadur Wahid-ud-din of Meerut by the agricultural engineer for irrigation channels. Two grants-in-aid of his farm, amounting to a total of Rs. 6,000, were made by Government to meet the cost of a superintendent for two years.

The facts with regard to the construction of masonry irrigation channels are as follows:—

Khan Bahadur Wahid-ud-din asked the agricultural engineer to recommend to Government the payment of Rs. 8,000 which he stated he had spent on masonry irrigation channels. The Agricultural Engineer asked the Khan Bahadur to submit account showing the details of the expenditure incurred in order to support his application. No accounts had been kept. The Agricultural Engineer then advised the Khan Bahadur that it would be useless to submit an application to Government unsupported by details of actual expenditure incurred, specially as he had already received considerable grants-in-aid of his farm.

On another occasion Khan Bahadur Wahid-ud-din asked for assistance to construct a small masonry irrigation channel at a cost of approximately Rs. 1,500. The Agricultural Engineer promised to examine the matter, and, if necessary, construct the channel. On inspecting the site it was found that the channel was already in existence and no further action was taken.

7. **Khan Bahadur Hafiz Hidayat Husain:** Did the Mainpuri municipality seek the assistance of the Agricultural Engineer, United Provinces, for sinking a tube well? Did the engineer disapprove of the site chosen by the board and advise the board as to the unsuitability of the site? Is it a fact that Rai Bahadur Chaudhri Amar Singh succeeded in sinking a tube well which is working satisfactorily on the very spot disapproved by the Agricultural Engineer?

**Kunwar Jagdish Prasad:** No; the facts are not as alleged.

8. **Khan Bahadur Hafiz Hidayat Husain:** How long is it since the present Agricultural Engineer returned from leave? Has he toured in Rae-Bareilly engineering circle since his return? If so, for how many days, and when?

**Kunwar Jagdish Prasad:** The Agricultural Engineer returned from leave on October 6, 1924. He has not toured in the Rae-Bareilly circle since his return.

9. **Khan Bahadur Hafiz Hidayat Husain:** How many tube wells have been sunk, or are being sunk, in the Gorakhpur district since the present Agricultural Engineer returned from long leave? Has any of these wells been inspected by the engineer, and, if so, when?



**Kunwar Jagdish Prasad :** Ten have been completed and 25 are under construction. The agricultural engineer has not inspected any of these wells.

10. **Khan Bahadur Hafiz Hidayat Husain :** How many tube-wells are there in the Meerut district? When were these inspected by the agricultural engineer?

**Kunwar Jagdish Prasad :** Fifty-three. The agricultural engineer has not inspected these wells.

**MR. P. B. RICHARDS, OF THE AGRICULTURAL COLLEGE, CAWNPORE.**

11. **Khan Bahadur Hafiz Hidayat Husain :** When did Mr. P. B. Richards, the Entomologist in the Agricultural College, Cawnpore, go on long leave? For how many days, and what was the nature of the leave originally granted to him? Was he permitted to visit Egypt during the period of his leave? For how many days did he remain in Egypt? Did he return to India after the expiry of the leave originally granted to him? Was Mr. Richards allowed concessions usually connected with study leave during his stay in Egypt?

**Kunwar Jagdish Prasad :** Mr. Richards took leave on September 19, 1925. His leave was on average pay for eight months followed by leave on half average pay for two months. Out of this period of ten months, four months were subsequently converted into study leave. Government deputed Mr. Richards to visit Egypt for a month in order to examine Egyptian methods of protecting cotton seed from the damage by the pink boll worm. The High Commissioner extended this leave by fifteen days owing to passage difficulties. Mr. Richards received the concessions usually connected with the study leave.

**AGRICULTURAL COLLEGE, CAWNPORE.**

12. **Khan Bahadur Hafiz Hidayat Husain :** Will the Government be pleased to place a statement on the table showing with reference to the Cawnpore Agricultural College—

- (i) the number of passes;
  - (ii) the number who have taken to agriculture at their own homes or farms;
  - (iii) the number entertained in Government service;
  - (iv) the number of unemployed
- during the last five years beginning from 1920-21?

**Kunwar Jagdish Prasad :** (i) 187.

(ii) 18.

(iii) 82.

(iv) 54.

13 and 14. **Khan Bahadur Hafiz Hidayat Husain :** [*Postponed at the request of the Government till the first day of the next session of the Council.*]

**EXPENDITURE PER HEAD OF POPULATION FROM PROVINCIAL REVENUES IN 1925-26 UNDER CERTAIN HEADS.**

15. **Mr. C. Y. Chintamani :** (a) What was the expenditure per head of population from provincial revenues in 1925-26 under (i) General

administration; (ii) Land revenue; (iii) Law and justice; (iv) Police; (v) Jails; (vi) Education; (vii) Medical; (viii) Public health; (ix) Communication; (x) Agriculture; (xi) Industries; (xii) Minor irrigation works, including tanks and wells?

(b) Under each head how much of this expenditure is on European officers and how much on buildings?

(c) What percentage of the provincial revenue and of the total provincial expenditure is each of the items?

**Mr. E. A. H. Blunt:** (a), (b) and (c) Statements are laid on the table, to which I add the following remarks:—

(a) *Minor irrigation works.*—If the honourable member will state more precisely what he requires the figure will be supplied, if possible.

(b) It is impossible to discover from the accounts, at any stage, what expenditure relates to European officers. It would be necessary to collect the information from the original bills and other vouchers, a piece of work that would take several months and require a staff of temporary clerks. Government regret that they cannot undertake it. The figures of non-voted expenditure do not help, for there are both non-voted Indian officers and voted European officers.

In all cases capital receipts and disbursements have been ignored.

(See Appendix F, page 1131.)

16 to 19. **Babu Uma Shankar:** [*Postponed at the request of the Government till the first day of the next session of the Council.*]

**MR. BADHWAR, NOMINATED MEMBER OF UJHANI MUNICIPALITY, BUDAUN.**

20. **Khan Bahadur Hafiz Hidayat Husain:** (1) Is Mr. Badhwar a nominated member of the Ujhani (Budaun) municipal board?

(2) Is it a fact that Rs. 1,400 were due from Mr. Badhwar as proprietor of Prem Spinning and Weaving mills to the Ujhani municipal board?

(3) Is it also a fact that the municipal board, by a majority, agreed to accept Rs. 600 (six hundred) in lieu of the arrears and also granted a franchise of 91 votes to the mills as a consideration of this?

(4) Do Government approve of this compromise?

(5) What are the considerations on which this concession of 91 votes to the mills is based?

**Sir Ivo Elliott:** (1) Yes.

(2) No.

(3) The municipal board agreed to compound the tax payable by the mill and its employees for a lump sum of Rs. 600 and to grant a franchise of 91 votes to them.

(4) The commissioner refused to sanction the composition.

(5) Does not arise.

LEGISLATIVE COUNCIL ELECTIONS.

21. **Khan Bahadur Hafiz Hidayat Husain** : Will the Government be pleased to give in a tabular form and constituency-wise the number of voters for the provincial Legislative Council in these provinces? What are the constituencies that have returned members unopposed to the Council? What is the number of voters that went to the polls for each constituency? What is the number of votes secured by each candidate for whom voting took place? What is the amount spent by each such candidate according to the return of election expenses submitted by him?

**Mr. R. L. Yorke** : (a) and (c) The honourable member is referred to the answer to starred question No. 5 of March 28, 1927.

(b) A statement is laid on the table.

(d) A statement is laid on the table.

(e) The honourable member is referred to the answer to starred question No. 33 of March 10, 1927, asked by Pandit Nanak Chand Sahib.

(See Appendix G, page 1133.)

*Copy of starred question No. 33 of March 10, 1927, asked by PANDIT NANAK CHAND SAHIB and the answer given thereto.*

QUESTION.

Will the Government be pleased to lay a statement on the table showing the amount of election expenses shown as incurred in the election expenses returns of all the candidates, successful and unsuccessful, who stood for election to the Legislative Council in the general election held in 1920, 1923, and 1926 and the bye-elections held since the first general election.

ANSWER.

The statement for which the honourable member asks would be of enormous length, and its preparation would entail an amount of labour which the Government do not think that they would be justified in undertaking.

GOVERNMENT EXPENSES OVER COUNCIL AND ASSEMBLY ELECTIONS OF 1926.

22. **Khan Bahadur Hafiz Hidayat Husain** : How much money have Government spent over the Council and Assembly elections of 1926?

**Mr. R. L. Yorke** : The total expenditure up to March 16, 1927, including printing charges, was Rs. 3,84,760.

MEDICAL DEPARTMENT GOVERNMENT ORDER.

23. **Babu Sampurnanand** : (1) Is the Government aware if G. O. No. 307/V—328 in the Medical department has been given effect to in hospitals in Benares City and Cantonment?

(2) Is there any other district where it is not being given effect to?

**Sir Ivo Elliott** : (1) If the honourable member refers to the Government Order of February 27, 1923, it has since been modified by G. O. No. 453, dated April 18, 1926, which allows all compounders who have put in service of four years or over to dispense prescriptions containing poison.

(2) Does not arise.

24. **Babu Sampurnanand** : What are the reasons for its not being followed? Will the Government draw the attention of the Medical authorities concerned to its existence?

**Sir Ivo Elliott** : Does not arise.

## SUPPLEMENTARY ESTIMATES.

**The Hon'ble the President:** Hon'ble members will find on their tables to-day copies of supplementary estimates which Government propose to introduce on April 2. Ordinarily, strictly speaking, notices of motions for reduction can only be received till to-morrow. But to suit the convenience of honourable members I propose that the office will remain open on April 1, specially to receive notices of reduction. Honourable members will, therefore, be in time on April 1.

**Pandit Badri Dutt Pande:** At any time on April 1, Sir?

**The Hon'ble the President:** At 11 a.m.

## ELECTION FOR ADVISORY COMMITTEE ON LOCAL SELF-GOVERNMENT AND OTHER SUBJECTS.

**The Hon'ble the President:** The next item on the order paper is the election of six non-official members of the Council on the committee which the Minister proposed to appoint to advise him in connexion with Municipal, Local Self-Government, and Medical departments.

It has been brought to my notice that several groups of members in this House have got typewritten lists ready in their hands, and, in order to prevent the smuggling of unauthorized voting papers, I should like to point out that when the voting papers are handed over to the Council clerks, they must be signed. Papers without signatures will be invalid.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I beg to propose the following names:—

Raja Durga Narayan Singh.  
 Pandit Venkatesh Narayan Tiwari.  
 Pandit Shri Sadayatan Pande.  
 Lala Nemi Saran.  
 Chaudhri Dharamvir Singh.  
 Khwaja Khalil Ahmad Shah.

**Raja Jagannath Bakhsh Singh:** I second the proposal.

**Rai Bahadur Babu Mohan Lal:** I beg to propose —

Mr. Abdul Bari.  
 Kunwar Surendra Pratap Sahi.  
 Mr. St. George Jackson.  
 Khan Bahadur M. Fazl-ur-Rahman Khan.  
 Kunwar Bisheshwar Dayal Seth.  
 Mr. E. Ahmad Shah.

**Raja Khushal Pal Singh:** I beg to second the proposal.

*Votes were then recorded.*

**The Hon'ble the President:** I understand that the voting papers have all been collected. We will now turn to the next item on the agenda.

## BUDGET, 1927-28.

## DISCUSSION OF DEMANDS FOR GRANTS.

## Demand No. 25.

## HEAD 5.—LAND REVENUE.

**Khan Bahadur Maulvi Fasih-ud-din:** I beg to move a substantive reduction by Rs. 20,000 of item concerning land records—B—District charges—Allowances and honoraria (page 147 of the Detailed estimates). Sir, I find that this is a very glaring instance of over-budgeting. We find that the actual of 1925-26 amounts to Rs. 51,045, while the budget of 1926-27 was Rs. 78,851, i.e., about Rs. 24,000 in excess of the actuals. The revised estimate for 1926-27 comes to Rs. 50,000, while the present budget figure is Rs. 77,351, which is in excess of the revised budget figure by about Rs. 27,000. In other words both the old budget and the present budget are very far above the actual and the revised figures by about Rs. 24,000 and Rs. 27,000, respectively. For that reason I propose to cut it down by Rs. 20,000 to be on the safe side.

**Mr. E. A. H. Blunt:** I myself have had a good deal of trouble over this particular item. I could not understand why it was that the actual expenditure under this head was always very much lower than the sum for which the department asked. I have more than once inquired about it, and I have not been able to get a satisfactory reply for the last three years. I have now discovered what has happened. This sum of "allowances paid to patwaris and kanungos" was booked as part of their pay because it was so drawn, and was not shown under this head. That mistake has now been put right, and consequently there will not be any saving under this head in future. It was, however, obvious that there ought to be a saving somewhere else, and I have made a reduction under pay which is shown in another place. It was, in fact, a mere case of misclassification in the Accountant-General's office. A cut has, however, already been made by me.

**Khan Bahadur Maulvi Fasih-ud-din:** May I know, Sir, what amount has been reduced under pay?

**Mr. E. A. H. Blunt:** I could not say exactly without the file, but I think it was probably Rs. 20,000.

*The motion was, by leave of the Council, withdrawn.*

**Khan Bahadur Maulvi Fasih-ud-din:** I beg to move a substantive reduction by Rs. 5,000 under sub-head "B—District charges—(4) Supplies and services" (page 147 of the Detailed estimates). I find that the present budget amounts to Rs. 88,104, while the revised estimate amounts to Rs. 75,000. In other words, the present budget is in excess of the revised figure by about Rs. 13,000, and I think this is a very large difference. For this reason I propose to cut down Rs. 5,000, unless a satisfactory explanation is forthcoming.

**Mr. E. A. H. Blunt:** This figure varies from year to year considerably. Sometimes it is well above the budget figure; sometimes it is considerably below it. It is a very variable item of expenditure, and the only safe course is to budget for something approximating to a mean, which is what has been done on this occasion. Honourable members will see that the figure, though higher than the revised, is lower than the budget estimates of 1926-27 and also lower than the actuals for 1925-26. It is possible that it may be too large. On the other hand, it is possible that it may not be enough. I should prefer the honourable member to let it alone.

[Mr. E. A. H. Blunt.]

if he presses his motion I will accept a cut of Rs. 5,000 on the understanding that if something more is needed we shall come up with a supplementary estimate before the Council later on.

*The motion was put and adopted.*

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I beg to move a substantive reduction by Rs. 2,500 of item concerning works.

If the honourable members will turn to page 141 of the Detailed estimates they will find that under works the actuals for 1925-26 are Rs. 883; while the budget estimate for 1926-27 is Rs. 8,367, and the revised estimate shows an expenditure of Rs. 7,000. The budget estimate for 1927-28 is Rs. 9,944. It is really a wonder that in spite of spending Rs. 1,367 less than what was budgeted last year the budget estimate for 1927-28 is being put at Rs. 9,944. As a matter of fact, we expected that the budget estimate for 1927-28 would not exceed Rs. 7,000. Nobody can understand the reason for this increase.

**Mr. E. A. H. Blunt:** The main reason for budgeting such a large figure this year is that we spent so little last year. These repairs vary from time to time. As a matter of fact, we do not spend the full amount every year unless it is necessary to do so. Obviously if you do not repair a building this year you will probably have to repair it next year. Another reason why the figure was low last year is that this was the first year in which the work was undertaken by the departmental officers and they could not make proper arrangements. If the amount was not spent last year, it will be spent this year. I do not think that the honourable member wants that all these buildings should fall into disrepair. A sum of Rs. 10,000 is not very large for so many buildings.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I think the reply of the Finance Secretary is not convincing at all. He admits that the actual expenditure last year amounted to Rs. 7,000 only, but he adds that this year they have budgeted for a higher sum as it will be required. This is, in the words of my honourable friend, Khan Bahadur Fasih-ud-din Sahib, a glaring example of over-budgeting. I do not expect that this excessive sum will be required in the next year when they have spent only Rs. 7,000 last year under this item. I, therefore, think that my motion is quite reasonable and hope that the House will accept it.

**The Hon'ble Sir Sam O'Donnell:** It is very difficult to convince the honourable member on these matters. I do not remember even a single occasion when he moved a reduction of this kind in regard to which we have been able to give an explanation satisfactory to him. On every occasion he tells us that our explanation is unsatisfactory. Well, Sir, the facts are quite simple. Last year, for the reasons which Mr. Blunt explained we spent less, that is, only Rs. 7,000 as against an average of over Rs. 8,000. This fall in expenditure was due simply to a change of procedure under which the heads of departments now have to make the repairs themselves. That accounts for the fact that we spent only Rs. 7,000 last year. But naturally the expenditure in the next year will increase owing to the fall in the previous year. If you take the expenditure of last year and the expenditure budgeted for the next year and add up the two and then divide the figure by two you will find the amount is only that which is normally spent on these works. For the coming year, therefore, a sum of Rs. 10,000 is surely not an excessive figure for all these petty works.

*The motion was put and the Council divided as below :—*  
*Ayes, 49 ; Noes, 31.*

*Ayes.*

Mr. A. P. Dube.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.  
 Babu Bhagwati Sahai Bedar.  
 Thakur Manjit Singh Rathor.  
 Rai Sahib Lala Jagdish Prasad.  
 Chaudhri Vijai Pal Singh.  
 Chaudhri Dharamvir Singh.  
 Thakur Pratap Bhan Singh.  
 Raja Kushal Pal Singh.  
 Rao Krishna Pal Singh.  
 Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Rao Udaibir Singh.  
 Babu Kishori Prasad.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Uma Shankar.  
 Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.  
 Pandit Shri Sadayatan Pande.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.

Babu Ganga Prasad Ror.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Rai Bahadur Pandit Sankata Prasad  
 Bejjai.  
 Mr. C. Y. Chintamani.  
 Mr. Muhammad Abdul Bari.  
 Maulvi Zahur-ud-din.  
 Saiyid Tufail Ahmad.  
 Khan Bahadur Shaikh Zia-ul-Haq.  
 Nawabzada Muhammad Liqat Ali Khan.  
 Hafiz Muhammad Ibrahim.  
 Maulvi Muhammad Qasim-ur-Rahman  
 Khan.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Khan Bahadur Sheikh Saif-ud-Muhammad  
 alias Maiku Mian.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Khwaja Khalil Ahmad Shah.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Rai Bahadur Lala Mathura Prasad Meh-  
 rotra.  
 Kunwar Bisheshwar Dayal Seth.  
 Raja Jagannath Baksh Singh.  
 Pandit Iqbal Narayan Garta.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Lieut. Nawab Muhammad  
 Ahmad Sa'id Khan.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. E. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tillard.  
 Mr. H. A. Lane.  
 Mr. E. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Chaudhri Wajid Husain.  
 Mr. E. L. Norton.

Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. B. D'O. Darlar.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Thakur Bikram Singh.  
 Kunwar Surendra Pratap Sahi.  
 Mr. Zahur Ahmad.  
 Lieut. Khan Bahadur Nawabzada Abdus  
 Sami Khan.  
 Maulvi Saiyid Habib-ullah.  
 Khan Bahadur Saiyid Jafer Hosain.  
 Mr. St. George H. S. Jackson.  
 Raja Shambhu Dayal.  
 Mr. J. P. Srivastava.

**The Hon'ble the President:** I hope honourable members, while discussing the token motions which we have now reached, will remember what I have already previously stated, that is, under motions for reduction under a sub-head only those matters will be discussed which relate to the sub-head to which the motion under discussion refers. As regards the policy of the whole department it can be discussed only when cuts under the entire head are moved.

**Mr. C. Y. Chintamani:** I beg to move a (token) reduction of Rs. 100 under sub-head "A—General revenue charges—(1)—Pay of establishment." On a reference to paragraph 142 of the Detailed estimates there will be found under "Pay of establishment" two items "Temporary revenue accountants and assistants" and "Temporary land acquisition establishment" and a third item "Temporary establishment for alluvial mahals." I wish to know when these temporary men were appointed how many of them were appointed, for what purpose and for how long. I have not found in the memorandum any information relating to

[Mr. C. Y. Chintamani.]

items and the two columns of numbers for the present year and for the coming year in the Detailed estimates are left blank. Are they engaged for a really temporary purpose and for a short period? If so, for what purpose and for what period? Or is it that they are temporary in the larger sense in which we have become accustomed to the use of this adjective in connexion with the Public Works department; *taqavi* engineers who are there for the whole of their life but who are temporary in the sense that they are non-pensionable and the Government is free to cut them out at a very short notice. The object of this motion is to seek for this information, and whether it will be withdrawn or pressed depends on the nature of the information that will be given.

**Mr. H. A. Lane:** I think I can explain satisfactorily to the honourable member for Partabgarh that these are really genuine temporary appointments, and the men appointed are appointed for special purposes and only for work which arises from time to time. The temporary revenue accountants and assistants are the men appointed in the tahsils to make up the accounts which are given to the *taqavi* naib-tahsildar when they go out to realize *taqavi* dues. The *taqavi* demand necessarily varies from year to year. In some years, owing to calamity or for some reason or other, such as an extra demand for *taqavi* for wells, the amount distributed as *taqavi* goes up. In another year there may be no scarcity and there is no reason for the distribution of *taqavi*. The result is that the *taqavi* demand for realization also varies from year to year. We cannot, therefore, have a staff on a permanent basis which if it is sufficient for some years will not be excessive for other years. The work which these men do is as follows:—In a tahsil in one year, say, there is one lakh of rupees for realization, the great bulk of this is *taqavi* under Act XII which is realizable in small sums, and for the naib-tahsildar to realize this he must have an account before him showing the exact sum due from each individual who has taken *taqavi*. This means that there are some thousands of accounts to be made up and they have to be copied out from the register which is maintained in the tahsil. Of course, the register cannot be sent out and taken by the naib-tahsildar to the spot, and therefore in each year a very large number of accounts have to be written out. Therefore the staff required varies from year to year. The ordinary tahsil *wasil-bagi-navis* is to do the part of the work which is permanent. It is necessary to employ a temporary staff if men are not to be kept idle in some years, doing nothing in the tahsil.

The same also applies to temporary land acquisition establishment, because the amount of land acquired varies from year to year. In some years big works are undertaken, such as the Sarda Canal, and in those years there is a great addition to the work of the clerks required to do the writing work. This, again, must fluctuate, and accordingly it is impossible for every clerk who is working on land acquisition to be kept on permanently without wasting public money.

The third item is alluvial mahals. Here, again, the position is very much the same. In some years there are more alluvial mahals which are due for re-settlement. The ordinary period of settlement for alluvial mahal is five years. It follows that in some years there are more alluvial mahals and in some less. The principle, therefore, is exactly the same as in the first two cases. In some years there is more work and in some less, and it



is, therefore, impossible to put on a permanent basis the staff which is required for this work.

**Rai Bahadur Thakur Hanuman Singh :** I have a motion standing in my name, but instead of moving that I would like to speak on the motion which has been moved by my friend, Mr. Chintamani.

I do not wish to repeat what has been said by the honourable mover. There is one thing more which I desire to bring to the notice of the Government in connexion with the alluvial mahals. The law, or regulation I may call it, on alluvion and diluvion is such as often takes away the landed property of one owner and from one district to another district, which makes the original owner a pauper in course of time, while it adds to the landed property of those whose property is situated on the other side of the river. On account of this law there are numerous landlords who have been reduced to a state of ruin and there are many who have become big landlords. This has been going on since the regulation was passed. I was informed some time ago that the matter was under the consideration of the Government of India, but I do not know what that Government has done in that respect. I think that the Government of our province should take up this matter and request the Government of India to amend the law. Certainly, there are numerous difficulties, which I may say seem insurmountable, but if the Government wishes to bring the regulation to a satisfactory condition, I think it will be able to surmount all those difficulties which we can foresee. The Government may fix a certain year after which any land which has diluviated from one province and been added to another province may be considered subject to alluvion and diluvion; but all these mahals, all these villages which, owing to the action of the river, are becoming nearer and nearer to the navigable rivers should not be subject to that law. If even this much is done I think the landlords will feel a great relief. The law, as it stands, is very very injurious to some and very very beneficial and advantageous to others. Any law which is too injurious to one and too advantageous to another cannot be considered to be a fair and just law. I hope the Government will very kindly give its serious consideration to this matter and move the Government of India to take the matter into its consideration and to amend the regulation under which the alluvion and diluvion mahals are dealt with. I think, then, the poor sufferers will be very very grateful to the Government and a great deal of hardship will be removed.

**Khan Bahadur Maulvi Fasih-ud-din :** I just wanted to say a few words about the point that has been raised by my friend, Thakur Hanuman Singh Sahib. My own experience of villages which are temporarily settled is this, that the boundaries are determined not invariably by the deep stream of the river, but according to the condition which is laid down in the *wajib-ul-arz*. I have come across a very large number of villages in which the boundaries are fixed up irrespective of the deep stream. While there are others in which the boundary changes.

**Raja Jagannath Bakhsh Singh :** May I know the names of the districts ?

**Khan Bahadur Maulvi Fasih-ud-din :** Nearly all the districts, Budaun and Azangarh for example. In nearly all the districts that I have been to in my official capacity I have come across a number of villages in which the boundaries are fixed up according to the condition laid down in the

[Khan Bahadur Maulvi Fasih-ud-din.]

*wajib-ul-arz*. There is a heading in the *wajib-ul-arz* of the old settlement not in the old settlement of 1872, in which it is laid down whether the boundaries of a village are fixed or whether the boundary is changed according to the change in the deep stream and I had to decide a large number of cases on that ground myself. And I think there are rulings, too, of the Hon'ble High Court on the subject that wherever the boundaries are fixed up according to the conditions in the *wajib-ul-arz* they could not be changed with a change in the deep stream. As a matter of fact, I think I should agree with him on this point that it is rather hard to change these boundaries on the basis of the deep stream and I am aware of those cases also in which a very great hardship is created for the zamindars of the villages which have been cut away by the river. There is one of my own villages, half of which got attached to the other side. So I think that if some arrangement should be made by which boundaries could not undergo any change on the basis of deep stream, it would be a good thing for all of us concerned.

**Mr. A. P. Dube :** I think there is a certain amount of confusion with regard to the law on the subject, if I may say so, in the mind of my honourable friend, Thakur Hanuman Singh.

**Rai Bahadur Thakur Hanuman Singh :** Certainly not.

**Mr. A. P. Dube :** The law, as it stands, is this that if owing to the fluvial action of the river a certain plot of land gets bodily cut and becomes attached to the land belonging to another person, then the ownership of that particular plot of land remains in the original owner. If, on the other hand, owing to the slow fluvial action of the river land is gradually cut in such a manner that nobody can say how much of it was cut at a particular moment or during a particular period of time and how much of it got attached to the land of the other person, then such increase in the land of that person becomes his land and the person from whose land this piece of land has been cut away gradually and imperceptibly has got no remedy at all. Now, this is the law. It is a very ancient law. It obtained amongst the Romans and they have said the last word. It is incorporated in the Regulations of 1813 or 1825, I do not know which, or some Regulation passed between these two years, and it is working quite satisfactorily. This Regulation is based upon the fundamental principles of the law of possession, and I do not think it can be improved at all. It causes no hardship. This action of the river comes within two heads, if I may say so, of the law, i.e., the act of God and the act of King's enemy. There is no remedy for this loss, and it must remain where it falls, in the language of lawyers. There is, therefore, no hardship if a particular piece of land, by a gradual and imperceptible process, gets attached to the land of another person. If the action of the river is sudden, one can claim the ownership for the piece cut away from his land, but if the process is gradual, naturally the loss must remain.

**Rai Bahadur Thakur Hanuman Singh :** Why? Amend the law.

**Mr. A. P. Dube :** That cannot be done. You must go in face of the existing first principles of law and there cannot be found any other workable principles of law of possession and occupation to deal with such cases. If you just throw away the *Pioneer* in the train, the man who

actually picks it up becomes the owner of it. If you throw away a shoe, the man who lays his hand on such a castaway shoe, becomes the owner of it. In the same manner when the property is cut away gradually and imperceptibly and attached to the land of another person, naturally he becomes the owner of it by occupation, and I do not think any change in the existing law is necessary.

**Rai Bahadur Babu Mohan Lal :** The law on the subject is just announced by my friend, Mr. Dube. If the change by the fluvial action of the river is sudden, and the land cut away is such as can be found out, then the ownership of that land is not lost. But if the change is so gradual and slow that the portion cut away and mixed with the land of the other owner cannot be found out then the ownership of that strip of land is lost. This is the law, and no other law than this can be workable. If a gradual accretion is made to the adjoining land then no law can help. There will be a number of cases in which it would be utterly impossible to find out which portion of the land was cut away by the action of the river and that law will be unworkable. If it is by a sudden change that a portion of land has become attached to another man's land, and if that can be found out the ownership is not lost. But if the action of the river is gradual and slow, and it is under this process that the land is taken away then no law can help, and we cannot find out which portion was amalgamated with the land of the other owner, and in that case the ownership must be lost and no other law will be workable.

**The Hon'ble Sir Sam O'Donnell :** Several honourable members have dealt with the law of alluvion and diluvion. I do not think this matter can usefully be discussed on a token reduction in the demand for land revenue. The law on the subject is very difficult and complicated. Two honourable members have stated the view of the law which, I believe, is taken in this province. I understand, however, that in the well-known Tirpulia case the Patna High Court took a different view and that that case will probably come up before the Privy Council.

**Rai Bahadur Thakur Hanuman Singh :** I hear that it has been decided.

**The Hon'ble Sir Sam O'Donnell :** I am very glad to hear that it has been decided because there are a number of cases relating to villages on the border of this province in connexion with which we have had correspondence with the Bihar and Orissa Government for a number of years. These cases have been held up pending the decision of that particular case.

**Rai Bahadur Thakur Hanuman Singh :** The Hon'ble the Finance Member will be more glad to hear that it has been decided in favour of the Government.

**The Hon'ble Sir Sam O'Donnell :** I am glad to hear that. At any rate, the law whatever it is, is based on partly the Bengal Regulation and to a very large extent on custom. It would be very difficult, therefore, to alter it. Sometimes it may involve hardship to one person and gain to another, but any change would interfere with all sorts of rights which have grown up during more than 100 years. If any honourable member will put up a definite, concrete and practical proposal we will examine

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it; but I do not think the honourable member who raised this point will expect us to agree to take up legislation on a matter so difficult and complicated on the spur of the moment. I do not think any suggestion for legislation has ever been put forward before. The position, it must be remembered, is becoming clearer as a result of judicial decisions.

**Raja Jagannath Bakhsh Singh :** The question that has been raised in connexion with this token cut is that of permanent boundaries of river-bounded districts or villages. As far as I know, the Government has been considering the advisability of fixing boundaries of such villages which were bounded by rivers. I remember that about more than twelve years ago when Sir Richard Burn was the Deputy Commissioner of Gonda he was touring on the bank of the Ghagra river and was discussing with landlords and cultivators the advisability of finding out some means as to how to fix boundaries of such villages that were on the bank of the Ghagra. It is therefore evident, Sir, that the Government had been considering or it has considered this matter more than ten or twelve years ago. There must be records with the Government on this subject and also the reports that might have been submitted by Sir Richard Burn. I raised this point in 1924. Then Sir Richard Burn was the Senior Member of the Board of Revenue. He replied to me that it was very difficult, but as far as I remember he also said that it was under consideration of Government. I think the Government should not say that the law is enough on the subject. The two points mentioned by the lawyers, that is alluvion and diluvion action slowly and suddenly. It is termed *dasafatan* and *rafti rafta*. These are very difficult to be proved. I know very big taluqdari cases have been fought on these two points. The third point is, Sir, as to when a main stream divides into two channels of almost similar force it is difficult to find out which is the main stream. This too is a difficult question to be proved. Therefore I submit the law is not very clear on the subject and litigation should as far as possible be avoided, because I know certain cases when the property was worth only a few hundred rupees and the legal expenses amounted to several thousand rupees. So the landlords naturally look up to Government to decide this point and at least to try their best to find out a solution for the permanent boundaries of such river-bounded districts. It is sometimes not only litigation between landlords and landlords but in many cases it is litigation between landlords and Government. For instance, in the district of Gonda, that district is bounded by the Gogra. Bara Banki is on one side and Gonda on the other. When there is litigation on the Gonda side by landlords and on the Bara Banki side by those landlords, the Government waits. And it waits till the matter is decided as to whether the land which has been cut by the river is on the Bara Banki side or the Gonda side. At first the issue is whether the land is on the Gonda or the Bara Banki side. As far as Government is concerned, it ought to be clear to them as to which district owns the land. I do not wish to raise this issue in this token cut, but I would not join issue with those who think it is a light matter and should be left as it is. I think Government should consider the matter according to its importance and do what it possibly can.

**Mr. C. Y. Chintamani :** My ignorance of the subject of alluvion and diluvion is only equalled if not surpassed by my ignorance of the law on the subject. Therefore on the issue raised by my friend behind me I

can have nothing to say. Coming to that which I have raised in making this motion, the explanation of the Revenue Secretary is certainly satisfactory, but only as far as it goes. I should have preferred his giving information about the particular needs of 1927-28 with regard to this temporary establishment under the three heads, what is the strength of that establishment, and information on similar points. All the same I do not consider the matter to be of sufficient importance to be justified in pressing it upon the Council and therefore I ask leave to withdraw it.

*The motion was, by leave of the Council, withdrawn.*

**Rai Bahadur Lala Mathura Prasad Mehrotra:** I beg to move as token reduction of Rs. 1,001 under sub-head "A—General revenue charges, (2) Supplies and services."

Under this token motion I want to bring the injustice that Government has been doing...

**The Hon'ble the President:** The token reduction is under a head for which there is no demand. There is no demand under this head. The entry against total is blank. He had better discuss this matter under some other head. Will Mr. Blunt state whether any money is asked for the sub-head objected to?

**Mr. E. A. H. Blunt:** Yes, Sir, there is no demand and I was wondering how we were going to deduct Rs. 1,001 from zero. Honourable members will find the total is blank—there is no demand.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** The demand is there and it is recovered by zamindars.

**The Hon'ble the President:** Whatever that may be, there is no demand before the House. If the honourable member has any grievance, he can bring it under some other sub-head.

**Rai Bahadur Thakur Hanuman Singh:** I beg to move a token reduction of Rs. 10 under sub-head "C—Honorary assistant collectors' establishment."

In this connexion I desire to bring to the notice of the Government that the number of honorary assistant collectors is increasing every year. There can be no objection to their appointment as such. But the great difficulty of the people which I desire to bring to the notice of Government is that the litigants who have to appear before the courts of these honorary assistant collectors have to take from the headquarters of the district vakils and mukhtars to whom they have to pay larger fees than when they have to conduct their cases in courts at the headquarters of the districts or tahsils. This has created an extra charge on the litigants who are feeling it very much. I do not object to the appointment of these officers but they should be ordered to hold their courts either at the headquarters of the districts or the tahsils because that will give great relief to the parties who have to appear before them. At tahsils they can get the assistance of the mukhtars and vakils cheaper and at the same time they can easily get petition-writers to write their petitions. In villages where these assistant collectors hold their courts it becomes very difficult for the parties to get petition-writers to even write their petitions. And if the assistant collector sits till 8 in the evening they have to stay in the village where they do not often get eatables or place for lodging. Under such circumstances, Sir, I hope the Government will consider the question

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and make such arrangements as to enable assistant collectors to hold their courts at the headquarters of the tahsils or the districts. It may be said by the Government that no assistant collector would like to take the trouble of going from his home to the headquarters of the districts or the tahsils. In this connexion, Sir, I would say that the people are so very much desirous of having power and some status that they will not mind the trouble they will have to undergo in going to the headquarters of the tahsil or the district. People are very much troubled and I hope Government will take some suitable action to relieve them of this inconvenience which they very often suffer.

**Khan Bahadur Hafiz Hidayat Husain:** I only want to put two questions to the Government. The first is, what improvement has been or is being effected in the matter of recruitment of new honorary assistant collectors. Is proper attention being paid to educational and social status of the new officer? The second is, are old assistant collectors now being made life honorary assistant collectors? If this is so, what is the test for their appointments as such and will they try cases actually or they will only be placed on the supernumary list.

**Lala Nemi Saran:** I have a motion in my name but I will speak on this.

Sir, regarding the appointment of honorary assistant collectors I have to offer certain criticisms to Government. Firstly, Sir, I would refer to the Revenue Administration report for the revenue year 1924-25 which is the latest to be published. On page 10 the report says that there are 163 honorary assistant collectors; out of these 12 did no work during the year and 18 disposed of less than 100 cases each; i.e., out of these 163 honorary assistant collectors, 30 assistant collectors are such, or rather, were such in that year, who either did no work or if they did work at all it was very negligible. Therefore, Sir, I want to put it to the Government whether these honorary offices which are given to the non-officials and the powers with which they are invested—whether these are for the sake of the enhancement of the prestige of these persons and for their glory or whether they are for the benefit of public work. If it is the latter, the report as it is shows that at least thirty out of the 163 were such that either they ought not to have been made honorary assistant collectors or if made they ought not to continue as such. Therefore the first point is that the Government should look into the cases of these honorary assistant collectors and strike off the names of, i.e., withdraw these powers from those who have not proved themselves useful in public work.

The second point to which I wish to draw the attention of the House is what my friend, Rai Bahadur Thakur Hanuman Singh has just said, viz., these assistant collectors sit in the mofussil places far away from the tahsil or district headquarters. The parties whose cases are pending before these courts have to take their legal opinion and legal help to these remote places. If they can do so it is only by paying exorbitant charges, by paying larger sums to these vakils. Otherwise they have got to go without any legal help. There is another thing which stands in the way of getting legal help easily and it is this, that cases which are tried in these courts are not instituted in these courts. The cases have got to be instituted in the tahsildars courts. Then the tahsildar transfers them to the honorary assistant collector's court.

**Rai Bahadur Babu Mohan Lal :** Are you talking of first class honorary assistant collectors or second class honorary assistant collectors?

**Lala Nemi Saran :** I am talking of second class magistrates. Generally, I may also inform the Council there are honorary assistant collectors with second class powers—rarely you have got honorary assistant collectors with first class powers. As far as the second class honorary assistant collectors are concerned, cases have to be instituted first in the tahsildars' courts, i.e., at the headquarters of the tahsil. The party instituting the case has got to pay the vakil for getting his case instituted. Then the case is transferred at the will of the tahsildar to the court of an honorary assistant collector, and there, again, he has to take either the same vakil or if he is not free another vakil and pay twice for the same work. Therefore it would be better if these honorary assistant collectors are to try cases which are instituted in their courts and the delay caused by first instituting them in the courts of the tahsildars and then transferring them to the courts of honorary assistant collectors should be avoided. The third suggestion made by my honourable friend, Thakur Hanuman Singh, is that these honorary assistant collectors should be asked to stay at the headquarters of tahsils. That will remove one of the chief grievances of the parties who have got to go to mufassil courts of these collectors.

The last point I wish to bring to the notice of the Hon'ble the Finance Member is this, that generally the mukhtars and vakils are entrusted with these powers of assistant collector while they actually work in revenue courts. I know from my own personal experience that there are mukhtars who are invested with these powers, but they carry on their professional work as revenue vakils in the revenue courts of the same district. I think it is highly undesirable. It interferes with the course of justice and also, I believe, with the work of other practitioners who work with these mukhtars, because those mukhtars naturally want to utilize the influence they have got as honorary assistant collectors in order to get cases for their professional work. Therefore I hope the suggestions that have been made will be seriously taken by the Government and the rules would be so altered as to incorporate the suggestions that have been made.

**Khan Bahadur Saiyid Jafer Hosain :** I had a similar motion standing in my name, but I shall speak on the motion before the House. Unfortunately, I cannot subscribe to the proposition which has just been enunciated by Rai Bahadur Thakur Hanuman Singh and the previous speaker that honorary assistant collectors should hold their courts at the headquarters of the district or the tahsil. There are several objections to this arrangement. In the first place, supposing there are half a dozen honorary assistant collectors at a particular place, how will they all find room for holding their courts in the tahsil building or at headquarters? Secondly, the honorary assistant collectors are not paid servants, and consequently it is quite reasonable that they should be allowed to hold their courts at their places of residence. Then, Sir, I beg to point out that there have been complaints about the transfer of cases from the tahsildar's court or the court of the sub-divisional officer, to the court of honorary assistant collectors. In my opinion this practice should be discontinued. Assistant collectors holding first or second class powers should be empowered to entertain suits which are cognizable by them

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to decide them in their own courts. The existing practice of transferring cases from the tahsildar's or the sub-divisional officer's court should be discontinued, because, as I have already pointed out, it involves multiplication of work and extra expenditure to litigants. Litigants have to pay the legal fee twice over to the mukhtars. Lastly, I beg to point out that complaints have been received by me about the establishment charges of these honorary courts. The first one is that honorary assistant collectors do not get any punkha-coolies, and the second is that they are not provided with stationery. I hope the Government will soon take steps to remove both these complaints.

**Babu Uma Shankar :** I have just three suggestions to make. In the first place, if it is necessary to maintain the institution of honorary assistant collectors, I would request the Government that they be recruited from amongst educated and honest persons and not, as heretofore, from amongst the ignorant people, who have of necessity to depend on peshkars in deciding cases. Such ignorant officers cannot understand knotty and intricate points of law. So there should be some qualifying test for such honorary appointments, and those desirous of taking them, should be requested to undergo an examination for the purpose. The other suggestion is the one already made by my honourable friend, Rai Bahadur Thakur Hanuman Singh, namely, that honorary assistant collectors should be made to work in the sadar; but this proposal has, I regret to say, been opposed by Khan Bahadur Saiyid Jafer Hosain. The reason for his opposition is that these officers are not paid servants and consequently it would, in his opinion, be very unreasonable to expect them to go to sadar. In this connexion I beg to submit that sometimes a litigant has to spend far more than the actual valuation of the suit in securing the services of a pleader from the sadar. Moreover, if these persons work honorarily, it is through no fault of the litigant, and so he should not be punished for the convenience of the honorary assistant collectors who hold their courts very far from the district headquarters, so that a litigant is put to a lot of expense on the pleader's fee and conveyance charges.

If these honorary assistant collectors are to be maintained and competent men are not appointed, then my third suggestion is that the litigants should not be asked to pay court fees in such cases which are tried by these honorary assistant collectors, just as in the cases which are tried by the panchayats under the Village Panchayat Act no court fees are charged.

**Khan Bahadur Maulvi Fasih-ud-din :** Before I discuss this question I wish to deal with the points which have been raised in this connexion. The first point was about the disposal of cases by these honorary assistant collectors at the headquarters. I think it will be very unfair to make these honorary assistant collectors to go over to the tahsil every day or at least once a week in order to dispose of the cases. But my complaint is quite the other way. I find that many honorary assistant collectors who reside at the headquarters of the sub-division or of the district are given parganas which are outside the tahsil in which they live. I have come across one or two cases in which a gentleman residing at the headquarters of a district has to try cases in his capacity as an honorary assistant collector of a tahsil which is thirty miles away from the headquarters and the litigants have to be dragged all the way from this tahsil to attend



their cases which are to be disposed of by the assistant collector. I think there should be a rule that no honorary assistant collector should take up work in any pargana or tahsil in which he does not permanently reside. That is a very necessary step that should be taken.

The other point that I want to bring out is about the suggestion that no court fee should be levied in cases which are disposed of by honorary assistant collectors. I should like to point out that honorary assistant collectors do not receive applications directly, but they are sent to them by tahsildars or sub-divisional officers and the court fee is thus already levied in respect of these cases. Exemption from court fees cannot be done unless it be provided that the court fee will have to be refunded in respect of cases which are transferred to the courts of the honorary assistant collectors, and this I think would be an absurd state of affairs. The scheme proposed by my friend cannot therefore succeed.

I now come to deal with the question of honorary assistant collectors from a broader point of view. The scheme of the appointment of honorary assistant collectors is comparatively of a more recent date than that of honorary magistrates. I remember that in the beginning for a number of years honorary assistant collectors used to be recruited from amongst retired officers of the executive and judicial services and also from the bar, but during the past few years there has come a change in the policy and recruitment is done from among all classes of people. It is within my personal knowledge that some of the honorary assistant collectors are as ignorant of the conditions connected with the revenue law as we of this planet are ignorant of the conditions of the life of the man in the moon. They have not even availed themselves of the opportunity offered to them by the Government for receiving their training at the Moradabad school. In my opinion the option that is given both to the honorary magistrates and honorary assistant collectors to learn their work at the Moradabad Training school should be changed into an order of compulsion, and unless an honorary worker has passed some examination in law or has already acted as a deputy collector or as a civil officer, he should be compelled, if he is to retain his honorary office, to go to the Moradabad school and learn work for a number of years. The Government insists on a knowledge of law in the case of its stipendiary officers for doing exactly the same work which the honorary officers do, and there is absolutely no reason why it should not insist on some sort of qualifications in the case of honorary workers, unless it is to be considered that the Government thinks that so long as a man does his work in his honorary capacity, any tom fool can pick up that work. I think that this is a very anomalous position.

The other point that I wish to bring out for the consideration of this honourable House is that the present slipshod method of recruiting honorary assistant collectors and honorary magistrates should be done away with, as soon as possible. In my opinion there should be a local committee consisting chiefly of the district judge and collector, one senior civil officer, one senior executive officer of the provincial service, an M. L. C. and one or two outsiders selected by the commissioner to recommend the appointment of candidates for honorary posts. This committee will give satisfaction to the public at large and will prevent illiterate and ignorant people from getting in.

The other point that I wish to suggest in this connexion is that those who are more than sixty years old should not be appointed to any honorary posts, and that they should not be recommended for powers higher

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than those they already exercise. When the Government compulsorily retires a person at the age of sixty, there is absolutely no reason why the same kind of work should be taken from a man after the age of 60. Many deputy collectors and civil officers retire at the age of 55 and some retire much earlier under 25 years' rule that has been recently introduced. They can, however, go on doing their work up to the age of 60 if they choose to do so.

Another point which I wish to raise in this connexion is that there should be some sort of rules for the guidance of the conduct of honorary officers. There are rules of conduct for paid Government servants, and there are certain limitations for them. There are no rules for the guidance of the conduct of honorary workers, and I think that it is a matter of great necessity that there should be rules of this kind, especially such rules as would lay down the qualifications of honorary officers and other conditions under which they should work as honorary officers. Unless this is done the scandal that has been created owing to the careless way in which the recruitment is taking place will not disappear, and I hope that this criticism of mine will carry weight with the Government, although I have become rather a pessimist in this matter. It is my experience that any of the suggestions specially when they are bold suggestions cannot find favour with the official benches. It may be because we are not so well informed and our knowledge is not so much up to date as to be able to understand the inner working of the machinery of public services or it may be because we are looked upon as people who are occupying opposition benches, opposition benches so far as the official benches are concerned. I do not know what is the reason, but I am sure of one thing that since I have been translated from the region of official life into the arena of politics I have come to know to my great surprise that after all honesty is a long way second best as compared to party intrigues. But I hope that the few suggestions that I have made on this occasion will receive the serious consideration of the Government, as they have been based on a long observation of the actual state of affairs in these provinces.

**Thakur Bikram Singh :** I do not think my honourable friend the member for Bijoor is justified in saying that honorary assistant collectors should hold their courts at headquarters. The result, if the proposal is carried, will be that every poor litigant will have to go to the headquarters in order to file cases even for Rs. 5. It will, therefore, be making justice impossible. I do not think that this honourable House will agree to this suggestion. The honourable mover, I think, has not taken the practical side of the proposal into consideration.

**Rai Bahadur Thakur Hanuman Singh :** I have taken the inconvenience of the people into consideration.

**Thakur Bikram Singh :** I am just coming to it. Generally cases are sent to honorary courts with the full consideration that the litigants or parties concerned reside in the neighbourhood.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** On a point of order, Sir. Is the honourable member reading ?

**Thakur Bikram Singh :** Certainly not.

**Thakur Bikram Singh :** Moreover, it will be impossible for the honorary officers to hold courts at the headquarters. Because if this proposal is given effect to it will undoubtedly be taken by them as a sort of punishment. In the first place they work honorarily and under the strict supervision of the district officers. I would therefore request the honourable mover kindly to reconsider the situation and will ask him to withdraw his motion. I would of course agree with the honourable mover so far that the work of such honorary courts, i.e., of honorary assistant collectors, and of honorary magistrates should be more carefully supervised by their immediate officers that is by the district officer. I know that, as a matter of fact, sufficient supervision is maintained in this matter, and the district officers are very careful in keeping a watch over the courts of honorary magistrates and honorary assistant collectors. Permit me to submit, Sir, that the honorary officers think it a part of their honest duty to discharge their responsibilities to the entire satisfaction of the parties concerned. I may be allowed to say that it is entirely in the interest of public services and services they render that they should not be asked to go to the headquarters and hold their court there. As I have just said, it will undoubtedly be a punishment of a very severe nature for them. Apart from their private affairs, the honourable members of this House are, I am sure, aware, that more or less they devote some time and in some cases much of their time in discharging their duties. For example, I believe it will not be out of place for me to say that Mr. J. H. Darwin, Collector and Magistrate of Aligarh, is an exemplary officer in these matters. He is really an officer who is keenly interested in watching and guiding the honorary courts of assistant collectors and magistrates in discharging their duties. With these few words I resume my seat and request the honourable mover to withdraw the motion.

**Maulvi Muhammad Obaid-ur-Rahman Khan :** I had no intention of intervening in the debate, but the suggestions which have been put forward from different quarters and for which different honourable members are responsible, have rather induced me to say a few words. Honourable members of this House are aware that these honorary magistrates and assistant collectors are appointed for the convenience of the public. The main feature is that they hold their courts at different places in the district and not in headquarters only. So by suggesting that their courts should be held at headquarters, they are defeating the chief purpose for which these honorary office-holders have been appointed. So far as I know, it is more convenient to litigants to attend the courts of honorary magistrates and honorary assistant collectors than to attend the courts of stipendiary assistant collectors and magistrates at headquarters because they reside quite close by those places where these honorary office-holders hold their courts. It is always made a point that their courts are held at such a place which may suit the convenience of the litigants. Moreover, it is less expensive, because there are many cases in which lawyers are not engaged but who are mostly engaged in those cases which are tried by stipendiary magistrates at the headquarters, as it is easier and cheaper to engage a lawyer at headquarters than to take him to the mufassil. It has been proved on the floor of this House that the appointment of these honorary magistrates and assistant collectors reduces the burden on the public purse to a great extent, as thousands of cases have been tried by these persons without taking any money or honoraria. If you dispense with these honorary officers, then certainly the expenditure will become very

[Maulvi Muhammad Obaid-ur-Rahman Khan.]

great and it will be very difficult to carry on the work. A suggestion has been made by some honourable members that there should be an order for the compulsory training of honorary magistrates. This will have the consequence of making some honorary magistrates or many of them to resign their posts, because they would not like to go to a Training School for a considerable period. I can say without any fear of contradiction that there are many honorary magistrates and honorary assistant collectors who are discharging their duties, honestly, efficiently, and very earnestly. There may undoubtedly be some who may not be efficient, and in that case I think there should be a rule that only qualified and efficient persons be appointed. After the expiry of their time, if it is found that any of them has done his work quite efficiently, then certainly his extension should be recommended, otherwise not. It is very desirable that there should be closer supervision, but so far as my knowledge goes, their work is now supervised quite minutely. It may have been some years ago, that the supervision would have been loose, but within the last three or four years I can say that their work is supervised very closely.

I quite agree with Khan Bahadur Maulvi Fasih-ud-din Sahib so far as he says that retired deputy collectors who were not fit to discharge their duties as stipendiary magistrates should not be given this power because they have finished the work which was expected of them. Certainly it is not desirable that they should be given this power; but in some cases, I say, there must be an exception to the general rule. If it is found that some of them are quite fit, then I do not see any harm in recommending them to get those honorary posts. I know from personal experience of my own that some of them are doing well.

**Khan Bahadur Maulvi Fasih-ud-din:** I did not say they should not be given that work. I said after sixty years.

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I am at a loss to understand what he means by saying that extra rules and regulations should be framed to guide them. I think there are already rules and regulations for their guidance. There are different procedures such as Criminal Procedure Code, Revenue Code, and there are already several Acts. They are to decide all these cases according to the proscribed procedure: they cannot go against that. It is quite unnecessary to frame further rules which may burden them. If you make extra rules and regulations it will be very difficult to carry on the work smoothly in the interests of the public, and even these people will not like to be harassed thus.

With these remarks I oppose the motion of the honourable mover and I earnestly hope he will withdraw it.

**Rai Bahadur Babu Mohan Lal:** Fortunately, or unfortunately, I happen to be an honorary assistant collector of the first class, therefore I hope whatever I will express about assistant collectors before this House will carry and must carry and should carry the greatest weight.

**Raja Jagannath Bakhsh Singh:** No, not at all.

**Rai Bahadur Babu Mohan Lal:** That may be in your opinion; but in my opinion it should. It is known to everyone of us that the lawyers are not allowed to take up revenue cases or to conduct revenue cases unless they pass a law examination in that subject. But it is an irony of fate

that the administration of justice of rent law should be conducted by those who know nothing of the law. Therefore, without taking much of the time of this House, I would say and I am very strongly of opinion on this point, that no honorary assistant collector should be appointed unless he has a knowledge of rent law. Rent law is not so easy to administer as criminal law and an honorary magistrate can very well on account of his experience of life administer a criminal law; but revenue law cannot be administered efficiently by an untrained person if he is appointed an honorary assistant collector. Therefore, in the appointment of honorary assistant collectors, I would request the Government certainly to take into consideration the educational and legal qualifications of the person before they invest him with powers of an honorary assistant collector.

Then a suggestion has been made that the honorary assistant collectors should hold their courts at the headquarters. I find there is no force in this argument. The stipendiary assistant collectors, when they are in camp, try revenue cases, and the tahsildars when they are in camp also try revenue cases and the litigants do not know where to go; sometimes their places of camping are shifted from time to time and they have to run from place to place before they can get any hearing of their case. I think it is to the convenience of the people that these honorary assistant collectors should be allowed to hold their courts where they live, for the litigant knows that he has to go to a certain place to have his case tried and there will be no difficulty to him, such as he experiences when he has to go to appear before a tahsildar or a deputy collector. Therefore, there is no force in this point and no such order is needed that the honorary assistant collectors should hold their courts in tahsils or in the sadr. Why should they be asked to hold their courts not within the places where they reside? Every honorary assistant collector has the option to hold his court within the territorial jurisdiction with which they are invested. There is no such provision in the Oudh Rent Act. The powers of honorary assistant collectors of first and second class are defined and they have power to take plaints, to receive petitions and all other applications relating to the cases over which they have jurisdiction. I do not know how this grievance is being made before this House. The Oudh Rent Law, unless it is changed, unless it is amended, gives ample powers to all the honorary assistant collectors to receive plaints of cases within the pecuniary jurisdiction with which they are invested. There is no provision in the Oudh Rent Act that should debar honorary assistant collectors from receiving plaints or applications with respect to cases over which they have jurisdiction. So there should be no grievance on that point. But certainly I would very strongly urge upon the Government to see that a committee or advisory committee is a very great necessity. I am not prepared to agree with my honourable friends who have advocated the case of honorary magistrates and honorary assistant collectors that all of them are above reproach and are doing efficiently the work required of them. I need not say that some of them are undesirable and the check which my friend on the other side has said is exercised by the district officer, has not been found to be efficient and successful in this matter. There are still some honorary magistrates and honorary assistant collectors, but lesser in number, who are undesirable and this check has not been found as efficient as has been expected. Therefore, it is in the public interest that the appointment to these honorary posts should be with the help of a committee of the nature (or

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of any other nature) as has been suggested by my friend Khan Bahadur Maulvi Fasih-ud-din. This is desirable because then the committee will know whether such and such a person is desirable and worthy of appointment. It would be a check on appointments which are sometimes secured by dancing attendance on the Collector of the district. Some of the posts have been given to certain persons simply because they danced attendance on the Collector. If therefore any committee is appointed there will be a very great change, and these powers will then not be conferred simply at the sweet will of the district officer. If the Collector is pleased with a certain person, he will recommend him whether he is fit or unfit and he will get him powers. But if the Collector is not pleased with any person, he will never get powers for him. Therefore I think that a committee of this nature is most desirable in the public interest and no honorary magistrate or assistant collector should be appointed without the advice and concurrence of this committee.

**Mr. C. Y. Chintamani:** I rise to give my support to the motion before the Council. I have heard the speech of the honourable member for Hardoi with particular interest, and I am glad that in the course of the home truths which he has uttered for the benefit of the Government he has admitted that there is a great deal left to be desired in the selection of honorary assistant collectors, and that he has supported the suggestion that has been made that there should be a committee of selection. I think it is a practical suggestion which deserves favourable consideration at the hands of the Government. I rather think that a committee such as has been suggested by my honourable friend the member for Pilibhit and Kumaun will be too large. I think it should be a smaller committee of selection, but a committee by all means.

One point that I wish to place before the Hon'ble the Finance Member is to inquire where and to what extent honorary assistant collectors have misused their position and powers in connexion with the elections. There have been many complaints in respect of honorary magistrates, and these complaints have not been wanting in respect of honorary assistant collectors. It would be easy for the Hon'ble the Finance Member and other members of Government to get up and say that unless and until they received specific complaints in regard to particular individuals they were not called upon to make any inquiry or to take any action in the matter. I think it would be more satisfactory if they descended a step or two from that position and agreed to address their divisional and district officers to take particular care that these honorary officers appointed to a Minister justice and therefore wielding a certain amount of influence and power are not allowed to misuse their opportunities in their own interest or in the interest of their friends.

The second point which I place before the Government is that they should take care that the rule "once an honorary assistant collector, always an honorary assistant collector" does not hold good. It does hold good, I am sorry to say, in far more cases than should be the case in respect of honorary magistrates, and from the information that has been furnished to me it appears to be the case also that honorary assistant collectors, if they are appointed for a definite term of years, are re-appointed as a matter of course. The proposal that a person who was appointed and has exercised these powers for a certain number of years should be re-appointed

must be accompanied by a convincing statement of the manner in which the person concerned has discharged his duties. The burden of proof should be upon those who advocate repeated re-appointments, which should not be considered to be a matter of course.

Thirdly, the Government should consider whether it is not impolitic for practising lawyers to be appointed honorary assistant collectors or honorary magistrates or honorary munsifs. The subject now before us relates only to honorary assistant collectors. An honorary assistant collector sitting as a judicial officer may have before him as parties persons who may have been his clients in the past and who may be his clients in the future.

The honorary assistant collector concerned may be the most honest of men, and yet it cannot be denied that subconscious influence at work will not enable the best of men to administer impartial and impersonal justice where he found himself confronted by parties who may have been or be expected to be his clients in the past or in the future. Last year when my honourable friend from Cawnpore made a similar motion I find that the Finance Member rather expressed surprise that such a motion should have been made. He said that he had been under the impression that the public dissatisfaction was only with the appointment of honorary magistrates and that there was no such criticism to utter in regard to honorary assistant collectors, and he relied upon the appreciative references made in the reports of the Board of Revenue to the work of honorary assistant collectors. I believe he was right in saying that public dissatisfaction so far as it found public expression was far more with honorary magistrates than with honorary assistant collectors. But a perusal of the volumes of the Council proceedings would have shown the Finance Member that the public were not quite so content with the manner in which honorary assistant collectors were appointed and the manner in which they were doing their work as the Finance Member was apt to think. When he took part in the discussion last year he said that the same instructions which had been issued to magistrates of districts in the matter of appointments of honorary magistrates, instructions which had been referred to by the Hon'ble the Home Member as the member in charge of Law and Justice, applied to honorary assistant collectors and had been issued in respect of both classes of officers. I hope that was so. I was under the impression that they were issued only in respect of honorary magistrates. In case the Finance Member spoke only from belief and not after ascertaining the facts when he made the statement last year, I am confident that he will take necessary steps now as he has seen both last year and this year that there is a certain amount of dissatisfaction and that action is called for.

The Hon'ble the Finance Member must have heard with interest and not with concern the warning words of the honourable member for Pilibhit and Kumaun. He is a man who spent the best part of his life as a Government servant and retired from the position of Magistrate and Collector of a district. And after three years' experience of the receptivity of the Government to suggestions from the non-official benches, he has declared himself to be a pessimist and uttered a threat that it would be rather more useful if he came over to my side than if he sat on the cross-benches. My honourable friend is somewhat mistaken in at least a part of his statement. He is rather optimistic in regard to the greater impression which we here are able to make upon the honourable members opposite than he sitting there can. Let me

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assure him on my behalf and I am sure on behalf of the honourable friend to my right that we do not hold the Government in any higher estimation than he does with regard to their response to our criticisms, our suggestions and our demands. They are equally unresponsive to both, and I cordially invite my experienced friend the member for Pilibhit and Kumaon to come over and join hands with us in order to carry on a combined fight.

**Mr. A. W. Pim :** My purpose in speaking is merely to give a few facts as regards the work of honorary assistant collectors, because, after all, an institution of the kind must be justified by the work done. I examined the annual reports for five years and I find in 1920-21 honorary assistant collectors decided 49,000 cases, and a number of appreciative remarks were made in the district reports of the work done by these gentlemen. In 1921-22 the total number of cases decided rose to 51,000, and with the exception of two districts the comments made by the district officers of the work of these courts was eulogistic. Gorakhpur then figured as the district giving the best results in this branch of work, a position which it has retained, I think, to the present time. In 1922-23 the number of cases rose to over 61,000, and again nearly all the district officers referred in terms of commendation to the work of honorary assistant collectors and to the relief which is given by their assistance to the work of the regular courts. In 1923-24 the total number of cases rose again to 71,700. There are no general remarks given in the annual report about the quality of their work, but there were 17 officers who decided over one thousand cases and thirteen officers were commended. In 1924-25 the number of cases had again gone up to 90,768—a very substantial increase over previous years. Again, 19 honorary assistant collectors were mentioned as having disposed of more than a thousand cases and 17 others were specially commended. The total number of honorary assistant collectors has gone up in this period from 135 in 1920-21 to 180 at the present time. Of this 180, 31 are officers with special knowledge of revenue work, 29 being retired revenue officers and two Court of Wards managers. In recent years the Gorakhpur district has been especially commended for the work done, and it is notable that the honorary assistant collectors there do not include any retired revenue officers. This shows that a high standard of work both in quality and quantity is attainable even where retired revenue officers are not available for this purpose. It is true that there is another side to the report of the work of these gentlemen. For instance, in 1924-25 twelve honorary assistant collectors, as mentioned by one member, did no work and 18 did less than 100 cases. That is not a very large proportion of the total number of honorary assistant collectors, and I am glad to notice that it is a smaller proportion than in previous years as in 1923-24, 19 did no work and 23 did less than 100 cases. At the same time I agree with the honourable member that it is not satisfactory that men of this type should continue to be assistant collectors, and it would be a matter for consideration whether their appointments should be further extended unless they change their ways. But taking honorary assistant collectors as a whole, I think we must recognize that they do a great deal of valuable work which it would be difficult and expensive to get carried out in any other manner.

**The Hon'ble Sir Sam O'Donnell :** I will take first, Sir, the question of the qualifications and the character of the gentlemen appointed as honorary



assistant collectors. The honourable member for Partabgarh referred to a statement which I made last year, which was to the effect that the instructions issued as regards honorary magistrates applied also to honorary assistant collectors. He wanted to know whether that statement was correct. I am informed by the Secretary of the department that all the instructions regarding honorary magistrates applied with one exception, and that exception was a Government order which laid down that normally men should not be appointed honorary magistrates if they were over 50 years old. The reason for not making that condition apply to these officers is that it would eliminate a very useful class of men, namely, the retired deputy collectors. The instructions dealt with educational qualifications and insisted that they should be sufficient, the status and reputation of the gentlemen selected, the renewal of appointments, and so on. Honorary assistant collectors are not now appointed for life, but for five years, and if their work is unsatisfactory, the instructions are that recommendations for the renewal of their appointments should not be made. I daresay there are a few who are unsatisfactory, but they will be eliminated under the operation of these orders. Generally speaking, as Mr. Pim has shown, the standard of attainments is reasonably high. I hope in course of time more honorary assistant collectors will go to the Meerabad training school. This is partly a question of expenditure. The demands on the school are considerable; we have to arrange for the training of Government servants, and we cannot take an unlimited supply of honorary magistrates, etc., but if and when money becomes available, I hope we shall be able to arrange for the training of a larger number of honorary assistant collectors. The honourable member for Partabgarh referred to the question of the appointment of practising lawyers. I quite agree with him that a lawyer who practises on the revenue side should certainly not be appointed. I appreciate too the principle he advocates as regards the appointment of practising lawyers, and I shall look into the matter. The same honourable member referred to the part taken by these gentlemen in the elections to the Legislative Council. The only representation I can remember on that point was one from a rather obscure Sabha in the Mirzapur district, which demanded that honorary magistrates—I am not sure whether it mentioned honorary assistant collectors—should not be eligible for election. That was a proposal which did not commend itself to us. I do not remember any other definite representation on the point. I do not think it would be desirable to appoint a roving commission to investigate into their conduct at elections. If there have been cases in which they have misused their powers, it is the duty of the District Magistrate to take up these cases if they come to their notice, and I am sure they will do so. As regards the place where they hold their courts, a number of honourable members have shown that there is no force in the objection taken to their holding their courts at their houses. In most cases certainly the litigants would find this convenient, as they live nearer to the homes of these officers than to the headquarters. Also if we insist on all of them coming to headquarters or the tahsils we shall have to provide court-rooms, and that would be extremely expensive. Some honourable members complained that the cases are instituted in the first place in the court of the tahsildar. As the honourable member for Hardoi has shown, there is no legal requirement of that kind. At any rate it is not so in Oudh—I am informed that there is requirement of that kind in Agra. If there is, without legislation we cannot alter the position in Agra.

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Reference was made to the need for an allowance for stationery. I am not sure whether there is any provision for the stationery for the honorary assistant collectors; but if there is not, I certainly think that there should be.

As to the question of *punkhas*, if the honorary assistant collectors hold their courts in their own houses, I do not think they can ask us to provide *punkhas*.

I think this covers all the points that have been raised. Honorary assistant collectors are a body of gentlemen who deserve well of the Government and of the public. They try a very large number of cases and their work has met with the approval of the highest judicial authority on the revenue side—the Board of Revenue. We do not say that there are no exceptions; we do not say that there are no honorary assistant collectors whose work is unsatisfactory. But what we do claim is that in general the standard of their work is reasonably high and that we are taking all practicable steps to improve it.

**The Hon'ble the President:** The debate on this motion will be continued after lunch. I have to announce the result of the election of six non-official members to the standing committee to advise the Hon'ble Minister on matters connected with the Municipal, Local Self-Government and Medical departments:—

- (1) Lieut. Raja Durga Narayan Singh.
- (2) Pandit Venkatesh Narayan Tiwari.
- (3) Pandit Shri Sadayaban Pande.
- (4) Lala Nemi Saran.
- (5) Chaudhri Dharamvir Singh.
- (6) Khwaja Khalil Ahmad Shah.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Rai Bahadur Thakur Hanuman Singh:** Before replying to my honourable colleagues who have thought it fit to oppose the motion, I would like to reply to the points raised by the two honourable members who have spoken from the Government benches. Mr. Pim has stated that the work of the honorary assistant collectors has been very satisfactory and that it was eulogized by district officers in many cases. Well, Sir, I never said a word whether the work of honorary assistant collectors was good or bad. There are black sheep in every fold, and so there are some black sheep among the honorary assistant collectors also. But their case is purer than the much maligned class of honorary magistrates. My point was to bring to the notice of the Government the inconvenience which the parties who appear before the honorary assistant collectors have to undergo, and I urged that they should be, if possible, avoided by some means which the Government may consider fit to adopt. One of the means which I suggested was that these honorary assistant collectors should hold their courts at the headquarters of the tahsil or at the headquarters of the district. But neither the Hon'ble Senior Member of the Board of Revenue nor the Hon'ble the Finance Member thought it fit to utter a word in reply to what I suggested. From this I am led to conclude that the grievances which may be brought to the notice of the Government on the floor of this House are always disregarded by the

Government and they always turn a deaf ear to the complaints of the people. It is not a matter of small inconvenience. It is not a matter of a thousand rupees or two thousand rupees. It is a matter of lakhs of rupees. According to the statement which the Hon'ble the Senior Member of the Board of Revenue has placed, before the House the number of cases decided by the honorary assistant collectors during the last five years was 322,700. On an average it may be taken that the parties had to spend at least Rs. 5 per case in addition to legal and other charges. The amount spent by them comes to a little over Rs. 16,00,000. Such a burden on the poor people should not be considered a small burden. To them a rupee saved meant clothes for themselves and their children. Litigation is already very heavy in the districts, and if on account of the appointment of a large number of honorary assistant collectors it is likely to be further increased, then I submit, Sir, that the position of the litigant would become intolerable. In this House the practice of assistant collectors in Government service hearing rent and revenue cases in camp has been often criticized for the simple reason that the parties concerned have to undergo a very heavy expense on the pleader's fee and other charges as compared to what they have to bear if their cases are tried at headquarters. What is true in the case of touring officers, namely, the deputy collectors and sub-divisional officers, is equally true in the case of honorary assistant collectors who try their cases in the interior of the districts—sometimes far removed from the homes of the parties. As pointed out already, the chief reason for heavy expenditure is the fact that a *vakil* or *mukhtar*, when brought from headquarters, naturally charges more than at the headquarters.

My honourable friend, Maulvi Obaid-ur-Rahman Khan, was pleased to remark that the appointment of honorary assistant collectors had gone a great way to relieve the strain on the public purse. I am not sure what he meant by the public purse. If he meant the Government exchequer, then I admit that it has to a certain extent been relieved; but if he meant the purse of the people . . .

**Maulvi Muhammad Obaid-ur-Rahman Khan:** I rise to a point of explanation. By the "public purse" I meant the purse of the Government exchequer.

**Rai Bahadur Thakur Hanuman Singh:** Very well, if the honourable member desires to relieve the strain on the Government treasury at the cost of the people themselves, then I am sure his views would not be welcomed either by his constituents or by this House.

Some speakers have suggested that such cases which may be tried by the honorary assistant collectors should not be charged court-fees. What is the court-fee as compared to the expenditure which the parties have to bear. Suppose a case for two or three rupees is instituted, the court-fee on it will be a few annas. No litigant will mind to pay a few annas, but what he feels is that when he has to take a pleader to the court of the honorary assistant collector to conduct the case he has to pay Rs. 15, Rs. 20 or Rs. 30 to the pleader per day. Some members have gone so far as to suggest that during the summer the assistant collectors should be provided with *punkha* coolies and fans. Most of these assistant collectors are well-to-do people and they can have their own *punkhas*. As regards those who are not so well-to-do as to have

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the luxury of *punkhas*. I think they can do without them. But from all this it appears that some of the honourable members are not really feeling the trouble of the parties.

No doubt I agree with those who have said that their holding court at the headquarters of the district or of the tahsil will be very inconvenient to them. There is no one who will not agree with this. But the inconvenience of a few honorary assistant collectors should not be so much minded, as compared with the inconvenience of the thousands of people at large who have to conduct the cases before them.

I desire to know what the Government has to say in connexion with my proposal as regards the holding of courts at the headquarters of the districts or of the tahsils. After hearing them I shall decide whether I should press my motion or withdraw it.

**The Hon'ble Sir Sam O'Donnell:** I was surprised to hear the honourable member who has moved this motion say that no answer was given to him in regard to his contention that cases should not be tried by honorary assistant collectors at their own houses, but should be tried at the headquarters or at the tahsils. He was quite correct in saying that the Hon'ble the Home Member gave no reply on that point, but perhaps on reflection he will agree that it was not the business of the Hon'ble the Home Member to do so. I myself ventured to offer an answer—an answer which was on the same lines as the remarks of quite a number of non-official members. I pointed out, in the first place, that if all cases were to be tried at the Sadr or at the tahsils we should have to build court-rooms for all the honorary assistant collectors and that the expense would be very heavy. I pointed out, in the second place, that in most cases it was more convenient for the litigants themselves to go to the houses of the honorary assistant collectors than to tramp into the Sadr. In most cases the litigants are living nearer to the houses of the honorary assistant collectors than they are to the headquarters. The honourable member drew a terrible picture of the frightful exactions which the system involves and the enormous costs which have to be paid. I believe that picture is entirely mythical. Most of the cases are quite small cases: the sum of money involved is very small, and no counsel are employed at all. Certainly nobody would engage an expensive counsel in a case the valuation of which is Rs. 2. If the case is of a complicated nature—a case in which it is necessary that counsel should be employed—then probably it ought not to be tried by an honorary assistant collector. The proper course for the litigants concerned is to apply for the transfer of the case. I do not believe for a moment that the present system puts the litigants to any excessive or unnecessary expenditure, and I am quite sure that they prefer to have their cases tried at the houses of the honorary assistant collectors than to go all the way to the Sadr or to the tahsil.

*The motion was, by leave of the Council, withdrawn.*

**Bhaya Hanumat Prasad Singh:** I beg to move a token reduction of Rs. 1,001 under sub-head "E—Partition charges."

The object of my motion is to put before the House the necessity of a whole-time partition officer. Under the present arrangement, Sir, partition cases are disposed of very irregularly, and often unnecessary delays are made in their disposal. The partition work is under the charge of

sub-divisional officers, who are generally overworked and who have to perform multifarious duties. Often it is on holidays that they are able to take up partition cases, and they do the work very carelessly and half-heartedly. In order that these cases may be disposed of regularly and quickly, I think that a whole-time officer is badly required. The parties concerned in the partition cases are also put to great trouble and expense. It is because when these sub-divisional officers find themselves unable to take up the cases they postpone them, and thus by the postponing of these cases the parties concerned are put to trouble and expense. With these few words I commend my motion to the acceptance of the House and hope that the Government will accept it.

**Pandit Bhagwat Narayan Bhargava:** Instead of moving my own motion I will speak on the motion before the House. I do agree with the honourable mover so far that the matter of delays in the disposing of the partition cases has become a matter of confirmed notoriety. The partition officers do not attach importance—I mean due importance—to the partition cases. Generally the case is this, that at the end of the day when they have disposed of all the cases, revenue and criminal, they take up partition cases, and as soon as they find that the amin or other subordinate of the partition branch gives them some reason or other, however flimsy and with whatever motive, to postpone the case they are generally inclined to postpone it. I do not know whether the Government have issued any definite instructions for these partition officers in the matter of disposing of these cases. I do not agree with the honourable mover that a special partition officer is required for disposing of these cases in every district. If the partition officers take a little more care in taking up and deciding these cases, I think the complaints can be easily removed. They generally go to the court at about 12 o'clock noon, and when they find that they have disposed of the criminal and regular revenue cases on that day, they sometimes leave the court without even taking up the partition cases. They can arrange the disposal of these cases if during the time that the partitions are going on in districts they allot some particular days of a week for simply taking up these cases or they take up only revenue cases on particular days. It is true that co-sharers are put to a great deal of inconvenience and a great deal of expenditure when such abnormal delays are caused in these cases. We do find from the annual report of revenue administration that there are still cases undisposed of which are about 14 years old. There are cases ranging from 14 years up to 2 or 3 years. There are several districts numbering even about 13 or 14 in which these cases have been lying undisposed of for about 7 or 8 years. The case to which I refer as being as old as 14 years is mentioned in the annual report, which says that even partition proceedings in that case have not yet been framed. If the matter stands like that, I do not think that any partition will be ever carried out to the advantage of the co-sharers. If we look to the total number of cases of partition which have been disposed of last year, you will find generally that more than half of the cases remain undisposed at the end of the year. Not generally, but in fact I think almost in every district the case is that more than half the cases are lying undisposed of, and even those that have been disposed of do include those in which partition has not been actually carried out, for there are several which have been disposed of in other ways, for instance, some were dismissed for default, some must have been withdrawn, and so on and so forth. But the actual number of partitions which have been

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actually carried out is about one-fifth of the total number of applications which have been pending before the courts at the beginning of the year. You will find that the total number of perfect partitions was 1,461, and the balance is still 914, that is, for Agra province. Similar is the case in Oudh, where out of a total of 218 there is still a balance of 117.

The next point is the demand about local inspections. I do not know what view honourable members may hold about it, but I do certainly hold that there is a great necessity for local inspection by partition officers. If it were not so, there will be a likelihood of putting to harm and loss a good number of co-sharers. We find that the number of inspections has gone down very much since the year before last. There are several districts in the province in which not a single inspection was made by the partition officer. I find that certain district officers and Collectors hold different views in the matter of inspection. They think that if there is a decrease in the number of inspections, it is due to the fact that the work is improving. I am simply surprised at the view held by them, and in order that the work of partition may go on without any injury to the co-sharer I think local inspections must be made by the partition officers in every district and it must be regarded as a part of their imperative duty.

**Lala Nemi Saran:** My honourable friend, Bhaya Hanumat Prasad Singh, has already brought to the notice of the Government one of the chief grievances of the public. I need not add further arguments to impress it on the Hon'ble the Finance Member. I want to make out one or two points for the consideration of the Hon'ble the Finance Member. The first thing in this connexion is that I had put a question in 1925 regarding imperfect partitions. The question was:—"Are there any orders to the effect that imperfect partitions cannot be made by a revenue court where no share comes to less than five acres?" The reply given by Mr. Lane was "No." As far as I know from my personal experience of the district and also from my legal experience the courts do not allow imperfect partitions in those cases in which any share which is asked for to be separately marked as a share in an imperfect partition comes to less than five acres, and they rely on a ruling given by the Board of Revenue. As far as the law is concerned, I think Mr. Lane was absolutely right, for there is no provision in the law which refuses such partitions. Further on, Mr. Lane said that if illegal orders are passed the remedy lies in appeal. I would ask the honourable member of the Board of Revenue whether it has come to his notice or it is within his knowledge that this is the practice in the subordinate courts and whether that practice has got the force of law behind it or it is only a misconception of legal interpretation. I want that this matter should be cleared up.

The second point to which I would draw attention is the fate of the partition amin. I had put a question in that connexion to the Government whether it is feasible that the post of these partition amins should be made pensionable, but the Government did not think it advisable then. I do not know what the position of the Government is at the present time, but at least it is within my knowledge that in every district out of the sums which are realized as fees for partition work from the parties, there is a great surplus. Out of that sum if a certain provision be made for providing

pensionary charges for the pension of these partition amins, I think it would not add materially to the expenses of the Government, because the money which is collected by the Government as partition charges is primarily meant to defray the expenses incurred in paying these amins. Therefore it is a right charge on that account, if there is any balance therein, that it should be used in paying pensions to these partition amins.

**Babu Uma Shankar :** I have also a similar motion against my name, but I would like to speak on this motion. I have also to make two suggestions in connexion with this motion. The first is that I entirely agree that there should be a separate partition officer who should decide partition cases. I have personal experience in my own district of partition cases. In one case of village Sijauli a partition case took about seventeen years and several of the parties died during the pendency of the case. In that case, whenever the matter came up for hearing it was postponed, with the result that the persons who had desired to get their shares partitioned off, had not the good fortune to see their shares partitioned off. In 1925 Mr. Fremantle admitted that the partition cases generally are taken after the heavy day's work. He also said that the partition work does not meet with the same attention which it deserves. So it is necessary that there should be a partition officer. He also said that the process, i.e., the appointment of a separate partition officer, was tried successfully in Meerut, but his whole argument was that in some districts it was not possible, as a sufficient number of deputy collectors was not available. I say that partition work is a very important work from the zamindar's point of view. So the Government should make such an arrangement as to provide that one partition officer should be in charge of the partition work of the district.

The other point is that the post of partition amin should be made pensionable. I put several questions in 1927 and urged that the post should be made pensionable, and the answer to the first of my questions was that the post is pensionable. In regard to my other questions I was referred to the answer given to the questions put by Lala Nemi Saran in 1925. From those answers I gathered that the post was not pensionable, but the poor amins were given provident fund. I would again draw the attention of the Government to the necessity of making the post of amins, like that of other clerks, pensionable.

**Khan Bahadur Maulvi Fasih-ud-din :** I will speak on this motion, although I have a motion in my name on this particular subject.

There is no doubt that the question of partition is a very ticklish question and its solution is yet far in sight. I quite agree with those honourable members who have said that partition cases take very long to decide. This is due, no doubt, as some speakers have said, to the fact that the deputy collector or the sub-divisional officer is overworked and he is too busy with his criminal and revenue cases to think of taking up partition work. One of the honourable members has suggested that there should be a whole-time officer in each district. Another member has opposed that proposal. There was a time when the Collector used to arrange that one deputy collector should take up partition work in the district and do no other work except some miscellaneous work of sorts. But it was found that that scheme was not very successful, for this ver-

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reason that in some of the districts the partition work was too small for one whole-time officer, while in others it was too much for one man. I think that the best manner of disposing of partition cases would be that the Government may issue directions to all the Collectors that each deputy collector should set apart at least one day in the week for doing partition work and no other work, and the days should be arranged in such a way that the one partition amin that is in the district should be able to go to each court by turns. That will, I think, solve the difficulty. I tried that experiment in Jaunpur with great success, and I found that much of the complaint of the public about the delay in doing partition work disappeared. As a matter of fact one has to confess that the partition amin is a conscience-keeper of the unfortunate officer who is in charge of that work, not only because that officer has not got much time to look into the partition cases, but also because the amin has got an advantage over that officer in so far that he has seen the locality and he has seen the field which is going to be partitioned, while the officer has not done so. The officer has, therefore, to be at the mercy of the amin in many cases, especially when the particular field is of a superior quality as compared to the other field, and so on. I think it is up to the Government to pass orders that no officer should pass final orders in a partition file unless during the touring season he inspects the village himself and satisfies himself on the propriety of the amin's partition. That is a very necessary measure.

The other point that I want to bring to the notice of the Government in connexion with this work is that many a field-to-field partition has almost ruined villages, and not only villages but many a zamindar, and has fomented litigation. I have come across a number of partitions in which one field has been split up and divided into about half a dozen mahals without any demarcation on the ground. A partition of this kind is certainly to be deprecated most strongly. The partition maps of these villages represent all the colours of the rainbow. The Board passed orders on this subject several years ago—about ten or twelve years ago—and insisted on the necessity of having block partitions. Some of the deputy collectors that I know of did carry out those orders and with success, while others followed those orders more in their breach than in their observance. This is a matter which requires most serious consideration of the Government. When the Board once passed orders on this subject, it is the duty of the Board to insist on the carrying out of those orders. Another point which I wish to bring to the notice of this honourable House is this, that in districts in which settlement operations are going on, partitions have naturally been stopped, and thus those partitions in which all the proceedings have been completed and in which only the final orders of the Collector are to be passed have also been stopped, because the numbers of fields and their areas have been changed by the new survey at the time of the settlement. The authorities think that it would be difficult for them to correct the number and area in the partition papers after the settlement is over. But the difficulty is that after all the expense and after all the worries that had to be undergone by the applicants for partition, they will have to begin the whole thing afresh. I brought this point to the notice of my honourable friend Mr. Pim, and I am very thankful to him that he gave his full attention to it. He pointed out to me the difficulties of



carrying on these partitions. I do realize that there are some practical and some insurmountable difficulties in the way of proceeding with these partitions and even with the partitions that have been completed, but I will request the Government to pass orders that, as soon as the survey and the correction of maps is over, the work of these partitions should be taken up without any further delay and not to await the final announcement of the assessment of that district or of that tahsil. I think that if this step is taken, much of the heart-burning will be removed and many of the difficulties will be avoided.

**Mr. A. W. Pim:** I am glad that this question has been raised in this House today, because I think that it is an important question and one fully deserving the consideration of the Council. It was raised by the same honourable member last year, and at that time Sir Richard Burn acknowledged that the honourable member had put his finger on a weak spot as regards the methods of carrying on case work in these provinces. Partition work is not a branch of work the method of dealing with which can be regarded as altogether satisfactory. There are delays, there are avoidable delays, and sometimes partition cases are lumped in at the end of the day and the partition officers pass hasty orders postponing cases to some future date. Sometimes too they do not fully realize the task with which they are confronted and they go on stumbling from one step to another without ever forming a clear idea in their minds as to what they want to arrive at. This is not a satisfactory state of affairs. One remedy proposed is that cases should be made over to special partition officers who should be appointed for every district. This is an experiment which has been tried in various districts. As far back as 1922-23 there were special partition officers in Meerut, Gorakhpur, Dehra Dun, Aligarh, Etah and Agra. Saharanpur afterwards got one, and it was tried for a time in Ghazipur. I think there are one or two other districts in which this experiment has also been tried; but it has not in all cases been satisfactory. Where there is full work for one officer, as in Meerut and Gorakhpur, the system has worked satisfactorily. In other districts the amount of work is not sufficient to employ the whole time of an officer. Apart from that, if there is only one officer in the district who gets experience in partition work, and he leaves, the work is probably made over to some officer who has no experience at all. The results cannot be satisfactory, and it is certainly important that there should be a sufficient supply of officers available with experience of this work. For these reasons instructions were issued last year that, although special partition officers should not be appointed in all districts, Commissioners should see that no officer without adequate experience of revenue work should be given partition cases to do. The procedure would in fact be similar to that in enhancement cases, in which only selected officers are empowered to do this work. These orders were issued last year, and I trust that they will effect some improvement in the state of the work. Further, a fresh rule was made that Commissioners when inspecting district offices should look with special care into the state of partition cases, examine the records and issue necessary orders. Apart from this, the board gets returns of the cases and they get full particulars of the cases which have been the longest without decision. In such cases they as a rule send for the order sheet and examine it, and if it is found that there has been any unreasonable postponement or unnecessary delay, as is frequently the case, they deal with the officer concerned. It must, however, be recognized that these cases are complicated and

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difficult to deal with satisfactorily. The difficulties vary according to the number of the lots that have to be drawn up, and where there are a large number of co-sharers it is fairly certain that a number of disputes involving proprietary rights will be raised which may require references to the civil courts resulting in unavoidable delay. It may be necessary to wait for a year or more for the orders of the civil courts. These are very serious drawbacks, and they are very difficult to avoid or to deal with satisfactorily. The particular case of 13 years old mentioned by the honourable member included 2,500 co-sharers, and there must have been a large number of proprietary rights to be decided, while it is inevitable that a certain number of sharers should have died during the course of the case, and that means delay again. So the obstacles in the way of an unfortunate man who is engaged in a partition case are certainly many and great. The second point which has been raised is the absence of inspections. That is a matter on which the Board have commented year after year in the annual administration report. I entirely agree with honourable members that it is not desirable that so many of these cases should be decided without inspection of the village concerned, any more than that enhancement cases should be so decided. The main reason probably is that these cases can be instituted at any time of the year, and they very likely reach a certain stage at times of the year when the officer concerned is not in camp. That is a difficulty that I do not think is insurmountable. It is a matter which can be gone into further, and officers should see that the instructions issued from time to time by the Board are adequately observed. As one honourable member mentioned, one Collector took the view that the fewer the inspections the better probably the work. That is a point of view I cannot share, and I agree with the honourable member in failing to understand it. There ought, as far as possible, to be inspections, and it is only in that way that the officer can keep control over the work of the amins. As the honourable member for Pilibhit has observed, officers are sometimes far too much at the mercy of their amins, and that difficulty would be to a great extent met if adequate inspections were made. The next point raised by one honourable member was as regards the instructions which he said had been issued about the size of pattis to be framed in imperfect partitions. No instructions were issued by the Board or by Government, nor could they be under the law. It is true, I believe, that some Commissioners did issue instructions, and I think some local instructions were issued by two or three district officers, but as the law stands, it cannot be definitely laid down in rules that pattis in imperfect partitions should be of a certain size. In fact, the annual reports show that no such strict limitations are observed, as pattis are mentioned in the reports for the last four years which may even be only a quarter of an acre with a revenue of ten annas. It is purely a local matter if such instructions were issued. The Board did consider the question in their report for the year 1923-24, and what they said at that time was that limitations in the size of pattis are dictated by administrative convenience and the damage is done to agriculture by excessive fragmentation. It is, therefore, desirable to persuade parties to refrain from the formation of very minute pattis, but, as the law stands at present, the formation of minute pattis cannot be altogether refused. The honourable member for Pilibhit has brought out this side of the case when he said that it is exceedingly undesirable that very minute pattis should be formed as they must mean.

fragmentation of holdings, which from the agricultural point of view is a very serious drawback. It is most undesirable that parties should make these partitions. They are as a rule the result of insisting on retaining possession of minute areas held in severalty and of a proportionate share in each tenure and class of soil. This is a very undesirable method of making partitions. As a general rule, however, it is the course of least resistance and many partition officers are inclined to take it. But it is contrary to the rules issued for their instruction insisting on the desirability of doing partition on broad lines and reducing instead of increasing fragmentation. I may add that this is one of the points brought out in connexion with the Agricultural Commission. A Rule 18 Committee of the old Council considered the whole question of partitions, and one of their recommendations was that in the case of imperfect partitions pattis under five acres should not be allowed. That is, however, not law at present and there is no legal authority for laying down such a rule. It is a matter of considering administrative convenience and agricultural advantages. Whatever orders were passed in individual cases must have been under section 109 of the Land Revenue Act which empowers courts to disallow partitions. Parties can always appeal from these orders. The last point which was specially raised was the hardship caused by the stopping of partitions owing to the beginning of record and settlement operations. The ordinary procedure is that the district officer, some time before record operations begin, should issue orders stopping the acceptance of all further applications for partition. I may say that this has been brought to the notice of Collectors of districts which will come under settlement within the next few years, and I trust that the difficulties which have been experienced in Budaun, to which district the honourable member no doubt refers, will not occur in other districts. No doubt it is very hard lines on the parties to partition cases, who find, when the case has reached almost the last stage, that owing to the changes made in the records all the work may go for nothing. In the particular cases he referred to the facts were that owing to the revision of records both the tenures and areas had been considerably altered, so that it was unavoidable that there should be a very large number of alterations in the partition lots, and it was doubtful whether it would not be better to start the whole work afresh or to try and amend the lots in the light of the new papers. As the honourable member observed, I took the matter up and I asked the settlement officer to go specially into these cases and see what could be done to minimize the trouble and expense of the parties concerned. It is not fair that they should have all this extra trouble, and I trust it will not occur in other districts. Apart from the difficulties which are unavoidable in dealing with partition cases, there are also avoidable difficulties caused by officers who do not arrange their work systematically. One honourable member has suggested that these defects would be avoided if officers fixed definite days each week for partition cases only. It was as a matter of fact the method which I practised as a joint magistrate, and I believe many other officers do the same. A possible difficulty is, however, that there may be a rush of criminal work to upset any arrangement of that kind, and the only method of preventing that would be by entrusting partition officers with no other work. That for several reasons is not practicable in all districts, though it is in some. I will close by saying that I recognize there are very genuine difficulties involved in the question raised by the honourable member. I agree that we should now go into the

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whole matter further and consider how far the imperfections in working are the fault of the officers concerned, how far to the methods of dealing with these cases, and how far to defects in the law. The Board will be glad to take up the question and to go into the whole matter in consultation with Commissioners and district officers. It would help them in this if honourable members will bring to the notice of the Board any particular cases which they think illustrate special defects in procedure. These could be analysed and we could see in what class these defects fall. We should then be in a position to try to evolve a better method of dealing with these difficult and complicated cases.

**Khan Bahadur Hafiz Hidayat Husain :** Most probably early in 1926 or late in 1925 I moved a resolution to the effect that partition work should not be entrusted to the amildars but should be done by assistant collectors. This I withdrew on being shown that the cost would be enormous. Then Sir, during budget discussions of 1925 and 1926 I had motion to the effect that partition work was done in a very dilatory and offhand manner by assistant collectors and that special partition officers were required for each district. I was told that this was not possible, but instructions shall come to Commissioners enjoining quicker despatch. I had feared that instructions have been issued to the Commissioners since, but we find, Sir, that as far as partition work is concerned we stand today where we were. The Senior Member of the Board of Revenue has stated that the appointment of a special partition officer, although it has worked well in some districts, has not worked satisfactorily in others. Partition work in itself is a very important work. To say that it is much more important and difficult than most of the revenue work, but still the manner in which it is done by assistant collectors in some districts is far from satisfactory. What is the reason? The reason is that the assistant collector who is partition officer wants to shirk work as long as he can. The work is taken at the flag end of the day when the brain is too tired to enter either into figures or complicated questions of fact or law. Therefore something must be done to remedy this. Today also suggestions have been made for the appointment of a special officer, or in the alternative, for the fixation of particular dates in the week for this work. The Senior Member of the Board has today again pointed out that the appointment of a special officer for each district is not practicable. But his objection can be obviated in this way. If the work in some districts is not sufficient for one whole-time officer, two or three districts might be grouped together and one officer might be appointed similar to the appointment of the raster year officer under the Tenancy Act. If partition work is not enough in one district, say Allahabad or Cawnpore, the two or three districts—take for instance, Allahabad Cawnpore or Fatehpur or even Etawah—might be grouped together, and in that case there will be enough work for that whole-time officer. If this is done, quicker despatch of partition work may fairly be expected. Just at present, Sir, as I have said, a great deal of blame lies with the officer, who, to be just to him, has got so much else to do. If his peshkar represents to him that certain summonses were not served, he does not inquire as to why they were not served, he is too much in a hurry to do so; he accepts his word and puts off the case for another 15 or 20 days. Adjournment for equally weak reasons are granted more often than not. The result is that parties who are obliged to come for these cases

from long distances have to go back without doing anything. My point is that the manner of work needs looking into, and if there is not sufficient work for one officer in some particular district, then the appointment of one officer for two or three districts, for partition work alone, might be taken into consideration.

**Bhaya Hanumat Prasad Singh :** The demand which I have made in this motion is a very modest one, but the reply which I have received from the Government is a totally unsatisfactory one. The honourable member of the Board of Revenue says that the scheme was tried in six or seven districts. It was successful in Gorakhpur, but in other districts, he says, it was not successful. I would like to know whether the arrangement which is going on at present is satisfactory. Cases drag on for years and years and the parties are put to great trouble. Will you call this a satisfactory arrangement or an unsatisfactory arrangement? I would like to know whether the Government would be willing to consider the scheme of a whole-time partition officer and let us know their decision.

**The Hon'ble Sir Sam O'Donnell :** Mr. Pim has dealt with this question, I think the Council will agree, very lucidly and exhaustively. He recognized that cases are often tried in an unsatisfactory manner. He recognized that there are defects, and he explained that the Board of Revenue were going into the whole question in consultation with Commissioners, and that they would endeavour to find a suitable solution. During the course of their examination of the question they will consider the particular suggestions which have been put forward in today's debate. There is only one point I wish to add, and that is this : I believe, speaking from my own personal experience, that to some extent—perhaps to a considerable extent—the defects of the system are due to the fact that officers have not had any special training in the way in which partition cases should be tried. It is many years since I tried partition cases myself but I remember that whenever there was a partition case on my file I approached it with a distinct feeling of aversion. I thought that I should not be very skilful in dealing with it and that in all probability my orders would be reversed on appeal, and so on. Now in the Moradabad Training School special attention is being given to this matter and the officer in charge of the school is a very experienced officer. He knows exactly how partition cases should be tried. He is explaining carefully to the officers under tuition where the pitfalls are and on what lines they ought to proceed. As time goes on, I believe the results of this will be visible and will make for a substantial improvement in the trial of these cases.

**Bhaya Hanumat Prasad Singh :** In view of the assurance given by the Government I beg to withdraw the motion.

*The motion was, by leave of the Council, withdrawn.*

**Lala Nemi Saran :** I beg to move a token reduction of Rs. 100 under sub-head "Charges on account of land revenue collections."

My object in moving this motion is to bring to the notice of the Government certain defects regarding the land revenue administration. The first relates to the question of commutation cases which are pending in the province, especially in the Rohilkhand division. On this subject I put a question to the Government on March 4, 1927, and the reply of the Hon'ble the Finance Member was as follows:—"In Rohilkhand division over 32,000 holdings are involved, and it would, therefore, be quite

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impossible for the courts which have to decide the suits to follow the procedure enjoined in the enhancement rules which make a field-to-field inspection necessary. Government have, therefore, under consideration a new procedure for dealing with these suits, but owing to the complexity of the question they have not yet been able to reach a decision." I shall very briefly describe here what the position is in the Rohilkhand division. The evil of grain rents was specially marked in that division, and accordingly, in a short time between the passing of the Agra Tenancy Act, namely, September 7 and September 30, as many as 32,000 cases had been filed in the courts for the commutation of rents, with the result that the relations between the zamindars and the tenants became very strained, for the obvious reason that while the zamindars are interested in the postponement of these cases in order to enable them to recover grain rents for as long a period as possible, the tenants want that they may not have to pay grain rents any longer. On account of these cases, therefore, the harmony that existed between the zamindars and the tenants for a long time has now been ruffled. The zamindars at the present time are putting every kind of pressure on the tenants to withdraw the commutation cases. This, at any rate, is the state of affairs in the Bijnor district, and I am sure that my honourable friends from the Rohilkhand division would be able to bear me out when I say that the zamindars against whom the commutation proceedings are pending in the court are trying to misrepresent things in every possible way. They tell the tenants that all these suits would soon be struck off the file and that their institution was only rendered possible by a misrepresentation of facts by interested vakils who wished to earn their fees. A story of this kind touches the heart of a simple-minded tenant very greatly, and when he thinks to himself that the case is not being proceeded with, he comes to the most erroneous conclusion that the case would be struck off the file in the end. Therefore, in order to allay the feeling of mistrust and misconception on the part of the tenants, I think the Government should take the earliest opportunity of getting the cases decided at an early date. I quite realize that the procedure which is required to be followed in these cases would be a little complicated and perhaps special officers with special instructions would have to be appointed in these districts to settle these cases, but I would urge on the Government the desirability of hastening the whole thing and doing what they want to do as early as possible. The results otherwise might to a certain extent be disastrous in this way that now the cases are pending and the crops of the next year would be coming before they are decided and the zamindars would like to harass the tenants in appraising the crops as far as they can, which is but natural. I am myself a zamindar and there are cases pending against me also. I hope the Government will expedite the disposal of these cases.

*At this stage the Deputy President took the Chair.*

The second point about which I wish to refer is regarding the Agra Tenancy Act which we passed at Naini Tal. There is a provision in this Act that no rent is liable to be enhanced until 20 years have elapsed. Now there are cases which were filed before September 7, 1926, for the enhancement of rent, and because they were filed under the old Act, they were filed for an enhancement of rent after the lapse of ten years. There is a little misapprehension in the minds of the officers, i.e., deputy collectors, who have been entrusted with the task of deciding such

enhancement cases and they want to interpret this law in a manner that these enhancements may not be allowed to the zamindars who filed their cases before September 7, 1926. The proviso to section 66 says:—"Provided that where under the provisions of this Act such rent is not liable to enhancement till the end of a period which expires subsequently to the commencement of such next following agricultural year, the decree or agreement shall take effect from the commencement of the agricultural year in which the rent will be liable to enhancement." The deputy collectors are, however, interpreting this proviso in a manner which the Legislature never intended. If the Government thinks that there is misinterpretation, I hope it will amend the Act or issue such orders as will ensure that the intention of the Legislature is carried out. If, on the other hand, the Government think that the interpretation is absolutely clear and there is no ambiguity about it, even then instructions might be issued to this effect to these officers, so that unnecessary appeals might not be filed. At present the proviso is interpreted by some deputy magistrates to mean that in all those suits which were filed before September 7 for enhancement of rent should not be allowed till twenty years have elapsed. I at least do not think that this interpretation since the last enhancement is right. I therefore request the Hon'ble the Finance Member to find out the facts. If there is a certain misconstruction in the proviso, it may be corrected by an amending Bill. If it is not so, then it be made clearer, because otherwise there is likely to spring up a crop of appeals.

The third point relates to the amendment of the Land Revenue Act. It was brought to the notice of the Government and the Council by a resolution moved in the old Council by Rai Bahadur Thakur Mashal Singh. It was to the effect that the Government should see that the Land Revenue Act is so amended that the provision which empowers the tahsildars to issue notices of arrest against the zamindars for arrears of revenue be altered, so that such powers may no longer exist there. I need not go into the question again. The reasons which were given before were admitted to be sound by the Government, and they said that they would consider the question very sympathetically. The Hon'ble the Finance Member said that he would ask the Commissioners to report on the question and that he would decide the matter as soon as the reports of the Commissioners would be received. It is now two years, and we have not heard anything about that matter. I request the Government to bring in an amending Bill, so as to do away with that obnoxious proviso which exists in the Act.

**Pandit Badri Dutt Pande:** There is motion No. 56 standing in my name. I will not move it, but will speak on the present motion. Even if I moved my motion for a substantive cut, there is no steel sharp enough to cut the rhinoceros skin of the Government, and if it did, there is the healing balm with the Government in the shape of certification. I have to put certain grievances of the Kumaun division. The first relates to the patwaris who collect the revenue. They are lords in Kumaun; they are the police officers, and they have very great powers. But I would still like the revenue police more than the regular police. There is one thing in the Gazetteer which gives a *cart blanche* to the patwaris. Says the Almora Gazetteer:—"The patwari gets Rs. 10 a month, but he also receives from the zamindars a number of perquisites such as bhent or nazrana on his first appointment and also a nali of grain. Then he gets food for himself and his servants and a pony is provided by the villagers when he

[Pandit Badri Dutt Pando.]

visits a village." This gives the patwari a great licence to do as he likes and to collect everything from the villagers. If the villagers do not give anything, God knows what happens to them. I think that these concessions should be stopped in this 20th century. It was a custom of barbarous times. The patwari did not exist in the reign of the Chand Rajas, for says the Gazetteer:—"This patwari is a British institution and was unknown in the indigenous form of government." At first the pay of the patwari in Kumaun was Rs. 5. He got Rs. 5 only from the Government and used to collect as many Rs. 5 as he could in other ways. That was a barbarous custom. Then his pay was raised to Rs. 10. Afterwards in 1921 it was raised to Rs. 26 plus Rs. 10 as allowance. In some cases it is Rs. 40 in the case of senior officers. I think the pay is still small. Of course for these present incumbents it is sufficient because they earn a large sum of money by smuggling and there is no check. If we sue them in law courts, here is the authority for releasing them. They would say that they were authorized by the custom to levy blackmail. It is for the treasury benches to say if they will increase the pay or not. But if they increase their pay, then they should get better men; but they don't expect this custom altogether, so that this should not go on now. It should be written in the Gazetteer that this was an old custom which is now obsolete. I think it is fair enough. My demand is fair enough.

Then there are two or three other grievances which I have to place before the House. In pargana Dhanpur bee-keeping is a thriving industry. I do not know why it is taxed under land revenue. You may tax it as a cottage industry. It is not taxed under land revenue anywhere in the province or in India. I do not say that it should not be taxed, although I would not advocate taxing a cottage industry; but to tax it under land revenue is an anomaly. Then there are my friends the Joharis who have a long standing grievance. Cattle revenue is realized from them, the amount of which is insignificant. It is about Rs. 599. But there is a question of principle involved. I have got a long petition from these persons. This revenue is not realized from the Darma people, but it is realized from Joharis only. I do not know whether it is realized from the Garhwal people. I have no knowledge. Our Deputy President when he comes to his seat of advocate may throw light on the matter. In the settlement report of the Kumaun district of 1874, Part I, it is written:—"The revenue of this patti (Maha Johar) chiefly derived from the income of trade, the average per hise is therefore minimal." Then Sir Henry Rancey, the King of Kumaun as he was generally called, says:—"The revenue fixed on the Bhotia villages of Maha Johar patti is not on land only but on their produce generally. It is quite fair that they should pay because they occupy an immense tract of country to the exclusion of all others. For six months they graze their sheep and cattle all over the country." That was why the cattle revenue was charged from them, because they would take our grass when they would go down for trade and cut our trees. That was why cattle revenue was realized from them. But now grazing tax is also realized from them. These people below the Mawani and Dabani and Nachati line have not to pay any grazing dues. Below that they have to pay grazing dues, then they have to pay income tax also besides land revenue. Therefore the cattle revenue must go as it is not realized from Darma people and you do not realize it from the Haldwani Banjaras. I think you can impose a trade tax or anything



like that if you like, although I would not disturb these peaceful traders, but I think this cattle revenue is illegal and it ought to go.

My fourth grievance refers to Askot. I tabled a resolution about Askot a long time ago. I hold a red pamphlet here, of course not prepared by Mr. Saklatvala but by these people themselves, wherein they put in their own grievances. I think their grievances are genuine. Then I tabled a long question as my resolution could not be reached during those non-official days, but the President disallowed it.

**The Deputy President :** I disallow any discussion on the ruling out of order any question by the President.

**Pandit Badri Dutt Pande :** I bow to your ruling. Forced labour is still taken in the Talla and Malla pattis in the Askot district. In this 20th century we should see that no forced labour is taken, especially when it has been stopped in other countries. I think the House will protest against this forced labour being taken in any part of the country.

Then they have certain grievances about unmeasured land, which is called benap land. In other places khaikars, i.e., permanent tenants, enjoy all the rights which, according to Mr. Paws' settlement report, the khaikars have. "They (khaikars) have rights over unmeasured land and gaon sanjait in their villages to the same extent as the hissadars have in khudkasht villages. The hissadars have no rights to cultivate unmeasured land in their villages." In the pattis of Rajbar they have no rights; all rights are given to the Rajbar and the khaikars are excluded. I think they should be put on the same line with those in the British territory. Then the people have to pay under threat of ejectment articles of food at the following rates :—

Ghee	...	3	seers	per	rupee.
Rice	...	24	"	"	"
Wheat	...	40	"	"	"
Barley	...	60	"	"	"

I think this is too much. We would be right glad if all of us were getting articles at this rate in the British territory, but there they have to pay under compulsion, otherwise they would be turned out. For that reason many persons go to Burma, Fiji and other places. The lot of sirtans (tenants at will) is very pitiable, and it is unfortunate that the Agra Tenancy Act was not promulgated in our part of the country also. I would suggest to the honourable members opposite that they should hold an inquiry about these things, and I would suggest that the Deputy Commissioner of Almora and the three M. L. C.'s of the Kumaun division should form a small committee and inquire into the grievances of the people of Askot. That will throw a good deal of light. They are poor people and there is nobody to represent them, and I think it is high time that the malpractices on the part of anybody, whoever he may be, are put a stop to. These are the grievances that I have to put before the House. I think my demand is very reasonable, and I hope that the four points which I have put before the House will be attended to.

**Mr. H. A. Lane :** The honourable member for Bijnor has referred first to the question of the decision of cases in the Rohilkhand division for commutation of rent which have been brought under the new Agra Tenancy Act. He has himself pointed out that the problem is a very big one. There are no less than 25,000 holdings involved in these suits

[Mr. H. A. Lane.]

in the Rohilkhand division, and according to the provisions of the Agra Tenancy Act a local inspection is necessary before any of these suits can be decided. The problem before the Government when the new Tenancy Act came into force was to find some machinery by which it would be possible to arrange for a local inspection which would not only satisfy the letter of the law, but would also enable courts to arrive at a fair and equitable judgement in deciding these cases, for where so many holdings are involved it is obviously necessary that the decision of these cases should be fair and equitable to both parties. As regards machinery, I may say first that for commutation of rent suits there is no existing machinery, for before the Agra Tenancy Act came into force neither the tenant nor the landlord had any right to apply for commutation of rent except at settlement. Therefore, the only existing machinery which could be applied was the machinery which is in force for suits for enhancement of rent. Now it was just because that machinery from long experience proved to be unworkable, that in the Agra Tenancy Act the roster year system was substituted. But before the roster year system can be brought into force, one must have roster operations and a considerable time must necessarily elapse before sanctioned rates can be brought into existence in all the districts of the Agra Province. Section 59 of the Agra Tenancy Act enjoins that till there are sanctioned rates, fair and equitable rates must be ascertained, and these fair and equitable rates must be the prevailing rates. The existing procedure for enhancement cases has aimed at ascertaining prevailing rates, and it has proved a failure. It is therefore necessary to find some substitute for the procedure which had been in force for enhancement cases. That is a very big question. Government have been in consultation with the Board of Revenue ever since the Act came into force and a system has now been suggested by the Board which is under examination and which it is hoped will enable a local inspection to be made on broad lines—not the type of field to field inspection which is enjoined under the old procedure, but inspection on the lines which will be adopted in roster operations. It is hoped that this system will enable the court to ascertain what the prevailing rates are on broad lines and to decide rates which will be fair to both parties. It will, I hope, be possible to pass orders finally on this matter very shortly. The scheme is now before the Government and it should be possible without much delay to settle the matter finally and to decide what the procedure should be. The question also of officers is not an easy one, because, naturally enough, for this type of work an officer with special qualifications is necessary, because it will be work of a very similar nature to that which is done by settlement officers, and, as honourable members already know, there are a good many officers already employed in settlements.

The honourable member has stated that the relations of landlords and tenants are becoming considerably strained over the delay in getting these suits decided. These grain rates have been in force for a number of years—indeed they have always been in force in these areas—and it should not be very difficult for their representatives and leaders to persuade the tenants to be patient for one year more.

The honourable member has also referred to the question of the legal interpretation of a section of the Agra Tenancy Act. On a question of legal interpretation I do not think it would serve any purpose for me

to give my personal opinion on what the legal position is, and it is not, I believe, customary for Government to express their views or to give advice as to the interpretation of the Acts. I do not think, if I understood the honourable member right, that the point is a very difficult one, and I should think if one test case came up on appeal, the whole question can be decided at once. It appears to be covered by the ordinary provisions of the General Clauses Act.

The honourable member for Almora has mentioned the question of the pay of patwaris in the hills. He has quoted an extract from the Gazetteer to support his point. The pay of patwaris was Rs. 5 a month and it was raised to Rs. 10, and in addition they receive certain customary payments. Well, as he has admitted, the pay of patwaris has now increased from Rs. 5 to Rs. 26 and in some cases it has reached Rs. 40. The customary payments have, I believe, to a large extent disappeared in the hills with the abolition of the *utar* system. When the *utar* system was abolished, the customary dues which were paid to Government ceased to be paid, and I understand that at the same time the patwaris no longer receive these dues, and that in consequence it is becoming increasingly difficult to find men to undertake this work in the hills.

**Rai Bahadur Lala Mathura Prasad Mehrotra:** What about the section of the Gazetteer ?

**Mr. H. A. Lane:** The description in the Gazetteer is a historical description and is historically correct. When the Gazetteer is revised I have no doubt it will be brought up to date. I imagine it has not been revised since the *utar* system was abolished. The honourable member for Almora has also referred to the revenue of the Bhotias and certain problems in Askot. The Hon'ble the Finance Member will deal with them.

**Khan Bahadur Maulvi Fasih-ud-din:** I never intended to speak on this motion, but I submit the speech which has been made by the honourable member for Bijnor has provoked me into breaking my silence. The honourable member for Bijnor has at last found a golden opportunity of pitching into the already much maligned class of zamindars. I would congratulate him on the opportunity which he has found today. The most drastic change that has been made in the Tenancy law of the Agra Province is the one relating to the commutation of the grain rents into cash rents. These grain rents existed in the time of the old rajas of Hindustan. They endured throughout the whole of the Mughal reign. They endured also through the whole of one and a half centuries of the British rule, and then at last by one stroke of the pen, as it were, they have been commuted into cash rents in connexion with the new tenancy legislation. I submit, Sir, that the Government, instead of doing any good to the tenants, has done them a distinct wrong and has paved the way for their ruination. I will explain in a few words the reason of this state of things. Those who have been paying grain rents have been receiving all sorts of help from the landlords in the shape of seeds, in the shape of implements for husbandry, in the shape of wood and other things in connexion with irrigation wells, and now that they will be paying cash rents, all this help which they used to receive from zamindars will vanish and the result will be that these poor tenants will have to fall back on the mercy of the village money-lender, and we know what a horrible thing it is for tenants to depend on the village money-lender. This is one side of the question. However, as the legislation has been passed we have no quar-

[Khan Bahadur Maulvi Fasih-ud-din.]

with this section, but I fail to understand why the honourable member for Bijnor should try to hustle the Government into deciding these cases at once. As has been pointed out by Mr. Lane, these are not easy cases and cannot be decided without the inspection of locality. This cannot be done in a slipshod fashion, specially as there are as many as 25,000 holdings to deal with. The honourable member for Bijnor says that zamindars are trying to persuade these simple tenants to withdraw these cases, but, simple though the tenants may be, I submit that their representatives are not simple. They have got all the political acuteness of a Bismarck and Gladstone and the oratory of Demosthenes at their command. So I submit that the remarks of the honourable member for Bijnor were unwise and provocative and he would have been well advised if he had spared them.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Taking advantage of this general motion I want to bring to the notice of the Government and the House one injustice which is being done to zamindars. I had a motion in my name, but as you know I could not move it owing to the fact that the demand in regard to which I wanted to draw the attention of the Government was nil. If the honourable members will turn to page 142 they will find that Rs. 20,000 have been debited for the cost of erecting boundary pillars. Lower down this cost is recovered from zamindars and therefore the demand is nil. Sir, I cannot see any justification for the Government to charge this cost from the zamindars. The boundary pillars are as serviceable to the zamindars as to the Government. Rather I think it is the bounden duty of the Government to demarcate boundary lines. Sir, if boundary pillars are not erected I am afraid the patwaris will not be able to prepare accurate khataunis and khasras upon which rest the whole revenue administration. So, Sir, they are very necessary from the Government point of view. But unfortunately the total amount is charged from the zamindars. If these boundary pillars are considered to be erected for the purpose of the zamindars only, then I think the Government can also come forward and charge from them the pay that they give to patwaris and kanungoes because that can also be taken in the same light. But the revenue that Government charges from the zamindars is between 40 to 50 per cent., and all this is supposed to be covered in it. The land revenue tax is the largest as was pointed out yesterday. The highest tax is the super-tax, and even that is also not more than 25 per cent. But we, the zamindars, pay to the Government about 45 to 50 per cent. and still we have to pay so many other charges. An honourable friend of mine brought this point to the notice of the Government in 1924, and the answer given by the Hon'ble the Finance Member was very hopeful and we were under the impression that this item would not be found in future budgets. But unfortunately it is there and it will be there nobody knows for how long. The answer that the Hon'ble the Finance Member gave at that time was this :—

"It is quite true that Government has interest in the maintenance of these boundary pillars, but so also of course have the landlords and the tenants."

Further on he has admitted this and says :—

"So far as the present year, at any rate, is concerned, the question is concluded. The cost cannot be borne by the Government. I hope that will satisfy my honourable friend."

We were under the impression that in future budgets this cost will not be borne by the zamindars, but still I find that there it is. I hope the Hon'ble the Finance Member will look to his words and will not charge this amount from the zamindars.

**Pandit Brijnandan Prasad Misra:** Under this demand I have to make certain observations in regard to the land revenue administration touching on points that I have to bring to the notice of the Government. In regard to an important question raised by the honourable member for Bijnor the reply of Mr. Lane has been that it is difficult to find an early solution for it. He has based his arguments mainly on three grounds. I am sorry I could not hear clearly everything he said. He said that the commutation question involves about 5,000 holdings and judgements in the cases cannot be pronounced without local inspection. It cannot be denied that a question of that kind cannot be hastily decided; it would take time. But justice delayed is justice denied. It also cannot be denied that we cannot go on putting off the question for a very long time. By the passage of the Agra Tenancy Act it was thought that certain privileges were conferred on the tenants, but if the tenants cannot be benefited for a very long time by them, the blessings will be appreciated at their right value. One of the important concessions of the Act is the right of commutation of rent, and when the Act was passed the tenants came to know of it and they put in applications for commutation in the courts. If it was not possible to make arrangements for deciding those cases, then that particular section should not have been brought into operation at once. The operation of that section should have been kept in abeyance. The tenants rushed to the courts and thousands of applications were filed and, as was observed by the honourable member for Bijnor, it is being rumoured in districts where these applications are pending that these cases have been dismissed and that commutation will be granted. We know that our peasants are uneducated and they are easily disaffected. As far as local inspection for enhancement cases goes we know the kind of inspection these officers make. They themselves never go from field to field. I am a revenue practitioner and I know the kind of inspection they make. They inspect many villages in a short time and the inspections are only nominal. The question of commutation of rent may be complicated, but it is not so complicated as to make it impracticable to decide the question. Settlement operations have been taking place and in the process of settlements in areas where there is *batai* rent it has been converted into cash rent. In settlements the number of the holdings involved was not less than that involved in those four or five districts now, and I cannot understand why commutations cannot be effected on the same basis as was done in settlements. Therefore there can be no reason why these cases should be kept pending. If they are kept pending for a long time tenants are sure to lose heart and at the same time the benefit of commutation will be lost to them, for frantic efforts are being made that the decision of these cases may never come. The honourable member for Bijnor was unfortunately unguarded in the statement he made, but it cannot be denied by the member for Pilibhit and Kumaun combined that there are good zamindars as well as bad ones also. All cannot be said to be good in any community. The good zamindars may give way thinking that it is a question decided once for all that commutation is sure to come. Bad zamindars may, however, take a different view. It is well-known that complaints from tenants in the courts of the district magistrates

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tahsildars are very large. Some of these complaints may have exaggerated allegations, but the number of complaints being so large against the landlords can lead us to one interpretation, and it would be that efforts are being made by them to coerce the tenants into withdrawing these applications. Complaints have been brought to my notice that in certain villages where these applications were made, landlords fearing commutation got arrears of rent entered into the patwaris' papers in the hope of putting pressure on the tenants to withdraw their applications. I must not be misunderstood in my reference, which is only to bad zamindars, not the good zamindars. The general practice again is that the rent of a holding is also realized by means of sugarcane juice when landlords have been buying this sugarcane for khandsar. In the present year, however, many of the zamindars did not credit the juice for payment of rent, which was allowed to fall into arrears with a view to bring suits for arrears and to eject tenants if they did not withdraw their commutation suits. There are many other ways which are being used by landholders in order to have these suits withdrawn. I would not grudge the landholder making by mutual consent with the tenant an agreement as to an equitable rent and thus to effect the withdrawal of these applications—justifiable persuasion is not wrong. But I do not like the idea of a landlord being successful in his efforts or designs of putting undue pressure on the tenants for this purpose. Besides this I want to bring one or two more points before the House. One of the sections of the Agra Tenancy Act in regard to excessive ejectment suits has been considerably misunderstood, and I may say it has been understood quite differently in different places. The practice adopted by the Collectors in deciding as to number of suits being excessive or otherwise has not been uniform. This might have led to mistakes, and I wish it were possible for Government to make an inquiry. This would be well for purposes of justice and equity. One more point I have is the injustice done to patwaris of my district lately by the District Magistrate. The facts of it are that at the time of the Council elections the patwaris, who are the recognized identifying agency under the rules and regulations governing the elections to the Council were penned and impounded near polling stations, and instructions were issued to the polling officers that they should be allowed to identify only in very exceptional cases. The prudent district magistrate of my district thought that he had the power—I do not know whether he had it or not, I should rather think that he had no power, because the power of appointing and recognizing identifying agencies vests only in the Government—but arrogating to himself that power he issued instructions of that kind. Whereas he disbelieved the patwaris and did not consider them to be objects of confidence, he placed his confidence in the village chaukidars. This complicated the elections very much. It is not to make a complaint in regard to the elections that I am saying this, for I am here notwithstanding. But what I have to observe is that the patwaris who might be considered to be best fitted for identification purposes being educated, were thus brushed aside, and chaukidars were given preference for their honesty—the class of men who get perhaps the lowest salary under the sun. The task of identifying was thus made difficult, because where the patwaris had to put only their signatures on the identification slips, the chaukidars had to put their thumb-impressions, and on this an endorsement had also to be written as to whose thumb-impression it was. I should think that the identification has not

been carried out with as much responsibility as it could have been carried out by the patwaris. My complaint in regard to this is that the whole class of patwaris had been prevented by the district magistrate from performing the task which was entrusted to them by the Government. Not only that; the instructions, by implication, meant that all the patwaris of the district are dishonest. If it is really so, I would say that the place of the chaukidars might be given to the patwaris and patwaris might be made chaukidars. This will be the right change and that would be justified by the action of the man on the spot who rules my district. This is what I intended to bring to the notice of Government.

**Rai Bahadur Babu Mohan Lal :** I was very much astonished to hear that some aspersions have been made against the landlords in connexion with their relations towards their tenants. (A voice "No, no.") I bring most respectfully to the notice of the House that the attitude of the zamindars has always been one of affection and love towards their tenants. We consider the tenants as our asset, and we always consider that our prosperity lies in the prosperity of the tenants. It is only those landlords who treat their tenants kindly are really landlords and enjoy the benefits of the land. In this age of democracy I make bold to say that the attitude of the zamindars is still the same as it has been from time immemorial and the zamindars of India have always been treating their tenantry with love and affection. Now the complaint has been made in this House that grain-renting is rack-renting. Here, too, my friends who have experience of zamindaris will at once bear me out that in some places, I think in a majority of cases, it is a boon to the tenants. As I have said in some of my speeches, manure is not easily obtainable in this age when the entire land has been brought under cultivation. The productive power of the soil has so much decreased that the payment of cash rent is indeed a hardship in some places to the tenants. There are certain tracts of land where produce is so small that the tenants could never pay cash rent according to the rate at which the land is assessed. When the rents have gone up very high it is indeed a boon to the tenants that grain rent is maintained there. In such cases I think it would be a hardship, in my opinion, if the grain rent is commuted into cash rent. This is an unfounded charge and should not have been made.

*[Here the Hon'ble the President resumed the Chair.]*

**The Hon'ble Sir Sam O'Donnell :** I will deal first with some of the points raised by the honourable member for Almora. I think his first point was as regards the Joharis. I must confess that my knowledge of the Joharis, their customs and the area which they occupy, is very slight indeed. My impression was that their cattle were taken into account merely as a means of distributing the land revenue. That is my impression. The honourable member said that in addition to paying land revenue they are also charged grazing fees. His contention, if I understood him aright, was that there was a sort of double taxation in this respect. Well, Sir, I will inquire into this matter. The amount, I think, comes to Rs. 599. It is not large, and I should have thought that it would not have involved any particular hardship. Still, I will have that point inquired into.

Then he referred to a place called Dhanpur where, he said, that a tax was levied on bees and honey. I must again admit I do not know . . .

**Pandit Badri Dutt Pande :** It is towards the Pindari Glacier.

**The Hon'ble Sir Sam O'Donnell :** I really do not know anything about this tax on bees and honey. There again I will inquire. Thirdly

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referred to Askot. I do remember there was a question asked regarding Askot and inquiries were made from the Commissioner. I have not seen the papers for some time. My memory is a little dim on the matter. But if I remember aright, the Commissioner seemed to think that there was no forced labour in Askot. Certainly there is no legal justification for forced labour. As regards unmeasured lands and the rights of cultivators in it, my recollection is that he reported that the Rajwar of Askot had an old right to settle the land on whatever terms he likes. Now that seems to be clearly a legal matter, and it is for the courts to decide what the rights of the tenants are in this land. If the tenants are dissatisfied, I suggest that the proper course is to have the point decided in the courts. Then he said that these people delivered grain at extraordinarily low rates, that is to say that the amount of grain delivered per rupee to the Rajwar is extraordinarily high. I think the Commissioner referred to that matter very briefly. Here again I will inquire whether there is any legal justification.

Then, Sir, I come to Mr. Mehrotra. He raised the question of boundary pillars and he referred to a statement which I made in my budget speech last year. Well, Sir, it is my misfortune that I have to speak very frequently in this Council Chamber—more frequently perhaps than most of the other members—and I must admit that I say many things of which I have no precise recollection afterwards. I do not remember why I said that the question was settled for the coming year, because I am reminded by the Revenue Secretary that this matter is really governed by the Land Revenue Act. Section 29 of that Act lays down that all owners of villages, mahals or fields are bound to maintain and keep in repair, at their own cost, the permanent boundary marks lawfully erected thereon, and if they do not do so, the Collector shall cause such boundary marks to be erected, repaired or renewed. There is a further provision in section 50 to the following effect:—"When any local area is under survey operations, the Record Officer may issue a proclamation directing all owners of villages, mahals and fields to erect, within fifteen days, such boundary marks as he may think necessary to define the limits of their villages, mahals or fields." The provision of law on the subject is a very old one. The obligation has existed for how long I do not know. It may have existed for centuries. At any rate it has been there for a very long time, and the actual cost to the individual landlord must be very small, because the total receipts as shown in the budget are Rs. 20,000. Now, spread that amount over the whole province among the landlords. I do not know how many landlords there are in the province, but I believe their number runs into hundreds of thousands. Rupees 20,000 spread over such a large number of landlords cannot come to more than a few annas in the case of an individual landlord. Merely on this ground, therefore, we can hardly undertake to amend the Land Revenue Act.

The honourable member for Pilibhit referred again to the question of commutation cases. I am sorry that he did not hear what was said by the Revenue Secretary, who dealt with the matter in a very lucid way. It is impossible to decide these cases by field-to-field inspection. The number of fields is far too large. It runs into many thousands. What we really require are the sanctioned rates, which the roster operations yield. Unfortunately, roster operations have not been carried out in these districts, and our problem, therefore, is to devise some temporary solution to enable us to



decide these cases on broad lines before the roster operations have taken place. That is undoubtedly a difficult problem, but we are working at it and endeavouring to find a solution. It is our desire that commutation should be granted to the tenants when they apply for it, and I think the Council will agree in general that cash rents are preferable to grain rents. The honourable member for Pilibhit took a different view. He said that the commutation of grain rents was absolutely ruinous to the tenants. Well, Sir, grain rents, of course, have certain advantages in certain circumstances. There are precarious tracts where they are most suitable; but there is an old proverb, which says *batai lutai*. There are disadvantages also about grain rents. At any rate the law is clear on the point, and we are anxious that the suits should be decided as soon as possible.

The same honourable member referred to the interpretation of the section in the Agra Tenancy Act regarding an excessive number of ejectment suits. He said that there was a lack of uniformity in the interpretation of that section. Well, Sir, that again is a legal point. Section 276 is there. It is for the courts to interpret it, and we must simply await their decision. If there is a lack of uniformity, it will be for the courts to set it right. Lastly, the same honourable member referred to some injustice which, he said, we had done to patwaris with regard to identifications at the elections. I think I am right in saying, I am speaking subject to correction by you, Sir, that that is really a matter which should have been raised on a vote on the Legislative Council budget. His complaint was that instructions were issued which prevented the patwaris from identifying a number of voters in his constituency. I know nothing about the instructions. But in any case it is not a matter which should have been raised on the Land Revenue demand.

I think that covers all the points that have been raised.

**Lala Nemi Saran:** I assure the honourable members on the cross-benches that there was nothing further from my mind than to cast any aspersions on the landlords or to create any landlord and tenant question on this motion. What I said was that, as cases had been filed, the landlords and the tenants would be both feeling a little disturbed over the present conditions. I therefore appealed to the Government to have the matter settled. I am myself a zamindar, and I would be the last person to cast a reflection upon the landlords.

The main point raised by me has not been replied to either by the Hon'ble the Finance Member or by Mr. Lane. I should like to know what the Government are going to do for the amendment of the Land Revenue Act in respect of the provision which authorizes a tahsildar to issue a warrant of arrest against a defaulting zamindar. That is a question about which we are very much concerned, and it is for the Government to tell us what they have done according to the assurance which they gave on the resolution passed by this Council in regard to this matter, and which was moved by Rai Bahadur Thakur Mashal Singh. I would press the motion on this issue alone.

**The Hon'ble Sir Sam O'Donnell:** I had taken a note of this point, but there were so many points I had to deal with that I overlooked it. We made inquiries from the Commissioners and they all unanimously opposed the deletion of this particular provision of law. Their reports show that it is very necessary to retain this provision for the collection of land revenue; that this provision is not abused, and that it is used only in

[The Hon'ble Sir Sam O'Donnell.]

those cases in which a resort to some coercive process is necessary. I believe I am also correct in saying that there is nothing peculiar in the inclusion of this provision in the Land Revenue Act. A similar provision will be found, I understand, in the Land Revenue Acts of other provinces. After all there is nothing very exceptional in the existence of such a provision, since arrest is a well-known process even in the civil courts and is very frequently resorted to.

**The Hon'ble the President :** The object of the motion is to obtain the opinion of the House whether the tahsildar should retain the power of issuing warrants of arrest against the defaulting zamindars for the recovery of arrears of land revenue and to impress on Government the disability of amending the Land Revenue Act. The motion is being put with that object in view.

*The motion was put and adopted.*

**Pandit Govind Ballabh Pant :** I have a number of motions relating to Government estates. But I will move only motion No. 10, which covers the entire head of Government estates. I beg to move a substantive reduction by Rs. 1,000 of item concerning Rs. 8,75,514. In doing so I will not advance any arguments, but will just refer to the points which I wish to bring to the notice of the Government. The first point is that which was mentioned in the course of the debate yesterday, though it was not distinctly in issue then. If honourable members will refer to page 143 of the Detailed Estimates, they will find that Rs. 550 is paid per mensem to the manager of the Government estates. The manager is at present also the executive engineer in charge of the canals. I think that the time has arrived when there should be a revision of the policy which governs the development of the Government estates. The Government should concentrate more on their development than on routine and red tape. For that purpose I suggest that there should be a competent man in charge of the Government estates as the manager and the superintendent. He should care more for the sanitation, for the improvement of the health of the people and for the promotion of agriculture and other things which conduce to the growth of the people who live there, moral, mental as well as physical. My suggestion, therefore, is that the superintendent should be recruited from among the deputy collectors. He should be a provincial service man of about five or six years standing drawing Rs. 400 per mensem. He should be placed in charge of the estates and he should be given an allowance of about Rs. 150. That will absorb only as much as Rs. 550. The Government will not incur any additional expenditure, and we will be getting a better value for the money that we spend.

The second point to which I wish to draw the attention of Government will be borne out by a reference to the figures. If you will look at page 143 you will find that clerks, kanungos and patwaris have a bracket after them, showing that their pay is Rs. 7-8-0 to Rs. 155. These people must be either clerks, kanungos or patwaris, and Rs. 7-8-0 is a mere pittance. I suggest that in case there is no mistake in the figures, the pay should be raised to at least Rs. 12. That the Government estates are the most unhealthy tract in the province has been admitted by the Hon'ble the Finance Member as well as by the present Chief Engineer

in charge of the Sarda canal, and it is a pity that the people there are not paid even Rs. 12 a month. I think that a grave injustice is done to them.

The next point to which I wish to invite the attention of Government is the figure of Rs. 5—Rs. 45 against servants. Rupees 5 is still more inadequate for servants. The kham chaprasis had done me the honour of bringing a deputation to me considering that I carried great weight with the Government, asking me to recommend their case to you and saying that they had not been given any increment, while others had been given such concession; I suggest that in their case the pay should not be below Rs. 12. In this connexion I wish to invite the attention of the honourable members to the detailed estimates of Government estates. The net revenue which the Government estates yield is Rs. 2,25,000, and it is admitted that this is a most unhealthy tract. It is a malarial region subject to attacks of malaria of the most virulent type. It is but fair and proper that the Government should spend money and give some relief to the people from whom taxes are realized. So I suggest that a considerable amount should be spent in carrying out measures for the improvement of the drainage, sanitation and for adopting other steps in order to eradicate malaria or at least to minimize the extent or the intensity of its mischief. Government knows, I believe, that the district board is getting only Rs. 16,000 from these estates. If the estates had been held by a private owner, the district board would have been entitled to get at least the rates and taxes to which it is entitled under the law. It does not get anything by way of the local rate. It is spending an amount much above the Rs. 16,000 that it receives. There are a number of schools, a number of dispensaries and hospitals and there are so many roads, so I press for a liberal and adequate contribution. I also suggest that a much larger amount should be spent over sanitation and drainage. It is not possible for me to discuss the report of the Director of Malariology at this stage, but I suggest that some action should be taken in accordance with these reports, otherwise there will be no use in having this survey. I think the Government should at least spend Rs. 50,000 a year in adopting the necessary measures to combat malaria in this tract. I again refer to the chronic grievance on account of increase in grazing rates. I will not reiterate what has been repeatedly explained at full length on the floor of this House. I need only remind the Hon'ble the Finance Member of the large quantity of hides and bones that are exported from every railway station situated in the estates which will indicate what amount of public loss is being incurred because of the apathy shown by the Government towards this measure. It is a very petty affair, and I therefore say that there should not be so much obstinacy about it. As the Government is aware, occupancy rights have been conferred on the tenants of the estate. This has naturally affected the position of the headmen of the villages. They have to collect rent and they are responsible for its payment. They are making a grievance of it, and I think the allowance that they have been getting so far should be reduced on this account.

**The Hon'ble Sir Sam O'Donnell :** Padhans ?

**Pandit Govind Ballabh Pant :** Yes, Padhans, There is a cattle farm in the estate which is at present under the estate management. It is not serving any useful public purpose. I suggest that this should be

[Pandit Govind Ballabh Pant.]

made over to the Agriculture department which should run it in the manner and in accordance with the principles observed in other cattle farms which are maintained for public good. There are many other points, but I think I should not mention them now as otherwise I will not be able to elicit any reply from the Government.

**The Hon'ble Sir Sam O'Donnell:** I have tried to take down all the points which the honourable member has made and I will endeavour to reply to them. The first point was as regards the management of the Government estates. Well, I dealt with this point yesterday and I explained the reasons why we thought that it was administratively more convenient and more economical that the two posts should be held by one officer. The honourable member for Naini Tal thinks that if we had a separate superintendent he would display greater interest in the development of the estate. I can assure him that the present officer—Mr. Hood—takes the greatest interest in the development of the estates. And when we had a separate superintendent I do not think that the management of the estate was any better than it is now.

The next point which he raised was about the pay of kanungos and putwaris' clerks. He noticed that the pay ranges from Rs. 7-8-0 to Rs. 50. I agree with him that Rs. 7-8-0 is inadequate for a whole-time servant, I can only suppose that it represents the pay of a few half-time men. I have not got details, but I shall be surprised if it is otherwise than I suppose. I cannot believe that there are any people doing whole-time work but only getting Rs. 7-8-0. Similarly, as regards servants, I agree with him that Rs. 5 is absurd for a whole-time man. As to the kanungo's chaprasis I would inquire about that. I have always maintained that the Tarai and Bhabar is an extremely unhealthy tract and that has to be taken into account in fixing rates of pay.

We are taking measures for improving the health of this area. We have had a malarial survey carried out by an expert and we are going to carry out the recommendations of that survey. We have included in this year's budget Rs. 24,000 on this account. The whole scheme is going to cost Rs. 80,000, and in addition there is a supplementary estimate for Rs. 19,000 on account of these estates. Our intention is to carry out all the proposals that have been made by the expert. I do not believe myself, as I have said many times, that whatever we do we can make Tarai and Bhabar healthy. There are some areas, however, which are more healthy than others. Our policy has been to concentrate people in the healthy areas and to discourage the influx of tenants until we have ascertained the results of our malarial scheme. In addition it will be seen that we make a contribution of over Rs. 21,000 to schools and dispensaries.

**Pandit Govind Ballabh Pant:** That is for all the schools.

**The Hon'ble Sir Sam O'Donnell:** Well, as I said on a previous occasion, I have always taken the line which the honourable member exactly opposite to me also took, that it is primarily the business of the district board to provide for education. The Government gives grants to district boards to help them as regards primary education, but it is primarily the duty of the boards to provide this. All that can be expected from Government estates is what a benevolent and enlightened landlord

would do, viz., a contribution proportionate to their income. I think the contribution under Schools is Rs. 16,000 from the Tarai and Bhabar estates.

As to Padhans, I think it is probable that the conferment of occupancy rights will have some effect on their position. That seems to me at any rate to be quite a possible contingency, and we shall have to consider whether in consequence some increase in the pay of the Padhans should or should not be made.

The last point is our old friend the grazing dues. I am sorry the honourable member thinks that I am unreasonably obstinate on that point. Naturally there are differences of opinion between him and me. But I am sorry that he thinks that I was unmovable and unbending over every point which is raised. The amount of money involved in this case is really larger than he supposes, because the grazing rates in other areas . . .

**The Hon'ble the President:** I must now intervene, as it is 5 o'clock. The original demand was for a sum of Rs. 88,33,718 under the head Revenue. The Council has effected reductions amounting to Rs. 9,44,343. The question is that the net demand of Rs. 78,89,375 under the head of Land Revenue be voted.

*The net demand was voted.*

**The Hon'ble the President:** Under rule 29(3) of the Legislative Council Rules undisposed of demands will now be put to the House. They are about 25 in number and the recommendation of His Excellency the Governor has been received that the sums mentioned for each head be provided and that the House do vote the said amounts. I shall put them seriatim.

### Demand No. 2.

#### HEAD 34—AGRICULTURE, VETERINARY AND CO-OPERATIVE CREDIT SOCIETIES.

The demand for Rs. 28,31,901 was put and voted.

**Pandit Brijnandan Prasad Misra:** On a point of order. Can the grant be put after 5 o'clock, because under the orders of His Excellency the Governor under article 29 of the Legislative Council Rules, he says "I further order that the maximum limit of time for the estimates included in each group shall be 5 p. m.?"

**The Hon'ble the President:** The maximum limit of time for discussion prescribed by the Governor was 5 p. m. 5 p.m. has been reached and the demand under discussion has been already put under rule 29(2). Now it is sub-rule 3 which has come into force which runs:—"On the last day of the allotted days at 5 o'clock the President shall forthwith put every question necessary to dispose of the outstanding matters in connexion with the demands for grants." This is what I am doing now.

### Demand No. 3.

#### HEAD 6—EXCISE.

The demand for Rs. 12,44,345 was put and voted.

### Demand No. 5.

#### HEAD 35—INDUSTRIES.

The demand for Rs. 12,25,715 was put and voted.

### Demand No. 6.

#### HEAD 9—REGISTRATION.

The demand for Rs. 4,78,302 was put and voted.

## Demand No. 7.

## HEADS 8 AND 8A—FOREST.

## HEAD 12—MISCELLANEOUS RAILWAY EXPENDITURE.

The demand for Rs. 35,11,686 was put and voted.

## Demand No. 9.

## CHARGES AGAINST THE FAMINE INSURANCE FUND.

The demand for Rs. 18,26,800 was put and the Council divided as below:—

*Ayes, 46; Noes, 30.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. P. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut. Col. R. P. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Thakur Pratap Bhan Singh.

Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Rai Bahadur Babu Abhinandan Prasad.  
Mr. Mukund Lal.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Saiyid Tufail Ahmad.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Shaikh Saiyid Muhammad Atlas Malik Mian.  
Khan Bahadur Maulvi Nasib-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. St. George H. S. Jackson.  
Raja Shambhu Dayal.  
Kunwar Bisheshwar Dayal Seth.  
Mr. J. P. Srivastava.

*Noes.*

Mr. A. P. Dubé.  
Pandit Rahas Bilhari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Thakur Manak Singh.  
Rao Krishna Pal Singh.  
Lala Nomi Saran.  
Chaudhri Badan Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Doota Prasad.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Rai Bahadur Pandit Saunkata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Hafiz Muhammad Ibrahim.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Pandit Iqbal Narayan Gurtu.

## Demand No. 10.

## HEAD 55—IRRIGATION OUTLAY IN INDIA NOT CHARGED TO REVENUE.

The demand for Rs. 1,03,17,490 was put and voted.

**Demand No. 11.****HEAD 30—SCIENTIFIC DEPARTMENTS.**

The demand for Rs. 21,886 was put and voted.

**Demand No. 12.****HEAD 46—STATIONERY AND PRINTING.**

The demand for Rs. 11,42,326 was put and voted.

**Demand No. 13.****HEAD 7—STAMPS.**

The demand for Rs. 3,61,965 was put and voted.

**Demand No. 14.****HEAD 11—SUBSIDIZED COMPANIES.**

The demand for Rs. 5,200 was put and voted.

**Demand No. 15.****CIVIL CONTINGENCIES FUND.**

The demand for Rs. 1,00,000 was put and voted.

**Demand No. 18.****HEADS 56B, 60, AND 60A—PUBLIC WORKS AND OTHER OUTLAY NOT CHARGED TO REVENUE.**

The demand for Rs. 45,16,574 was put and the Council divided as below :—

*Ayes, 44; Noes, 31.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O Darley.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.

Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Rai Bahadur Babu Abhainsandan Prasad.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Saiyid Tufail Ahmad.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. St. George H. S. Jackson.  
Raja Shambhu Dayal.  
Kunwar Bisheshwar Dayal Seth.  
Mr. J. P. Srivastava.

## Noms.

Mr. A. P. Dubé.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.\*  
 Babu Bhagwati Sahai Bedar.  
 Thakur Manjit Singh Rathor.  
 Chaudhri Vijai Pal Singh.  
 Thakur Manak Singh.  
 Rao Krishna Pal Singh.  
 Lala Nomi Saran.  
 Chaudhri Badan Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Babu Kishori Prasad.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
 Babu Ravendra Narayan Singh.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Rai Bahadur Pandit Sankata Prasad Bajpai.  
 Mr. G. V. Ghintamani.  
 Maulvi Zahur-ud-din.  
 Hafiz Muhammad Ibrahim.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Pandit Iqbal Narayan Gurtu.

**Demand No. 19.****HEADS 41 AND 60—CIVIL WORKS PUBLIC WORKS.****HEAD 56B—CAPITAL OUTLAY ON AGRICULTURAL IMPROVEMENTS.**

The demand for Rs. 12,72,871 was put and voted.

**Demand No. 20.****HEAD 41—CIVIL WORKS—GRANTS.**

The demand for Rs. 4,66,545 was put and voted.

**Demand No. 21.****HEAD 32—MEDICAL.**

The demand for Rs. 28,42,111 was put and voted.

**Demand No. 23.****HEAD 24—ADMINISTRATION OF JUSTICE.**

The demand for Rs. 60,12,379 was put and voted.

**Demand No. 24.****HEAD 33—PUBLIC HEALTH.**

The demand for Rs. 24,32,089 was put up and voted.

**Demand No. 26.****HEAD 37—MISCELLANEOUS DEPARTMENTS.**

The demand for Rs. 63,175 was put and voted.

**Demand No. 27.****HEAD—LOANS AND ADVANCES BY THE LOCAL GOVERNMENT.**

The demand for Rs. 13,61,000 was put and voted.

**Demand No. 28.****HEAD 47 — MISCELLANEOUS.**

The demand for Rs. 4,26,519 was put and voted.



## Demand No. 29.

## HEAD—EXPENDITURE IN ENGLAND.

The demand for Rs. 4,54,813 was put and the Council divided as below:—

*Ayes 42; Noes 32.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. E. R. Channer.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. E. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mr. E. Ahmad Shah.

Babu Ram Charana.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kusbal Pal Singh.  
Rai Bahadur Babu Abhainandan Prasad.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Saiyid Tufail Ahmad.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Mr. St. George H. S. Jackson.  
Kunwar Bisheshwar Dayal Seth.  
Mr. J. P. Srivastava.

*Noes.*

Mr. A. P. Dube.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Pal Singh.  
Thakur Manak Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Deota Prasad.  
Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
Babu Kavendra Narayan Singh.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Hafiz Muhammad Ibrahim.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Pandit Iqbal Narayan Gurtu.

## Demand No. 30.

## HEAD 45—SUPERANNUATION ALLOWANCES AND PENSIONS.

The demand for Rs. 52,59,300 was put and voted.

## Demand No. 31.

## HEAD 60 B—PAYMENT OF COMMUTED VALUE OF PENSIONS.

The demand for Rs. 2,00,000 was put and voted.

**Demand No. 32.****HEAD—INTEREST ON DEBT.**

The demand for Rs. 8,500 was put and the Council divided as below :—

*Ayes 42 ; Noes 33.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusef.  
Mr. G. B. Lambert.  
Mr. E. A. H. Hunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tillard.  
Mr. H. A. Lamb.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. P. F. R. Chamber.  
Mr. R. J. S. Dodd.  
Lieut.-Col. R. P. Baird.  
Mr. A. H. Mackenzie.  
Mr. B. D'O. Darley.  
Mr. E. Ahmad Shah.

Babu Ram Charana.  
Thakur Pratap Bhan Singh.  
Thakur Bikram Singh.  
Raja Kushal Pal Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Sirdar Nihal Singh.  
Rai Bahadur Babu Mohan Lal.  
Kunwar Surendra Pratap Sahi.  
Mr. Zahur Ahmad.  
Saiyid Tufail Ahmad.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafez Hidayat Husain.  
Maulvi Saiyid Habib-ullah.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Min.  
Khan Bahadur Maulvi Fasih-ud-din.  
Shaikh Muhammad Habib-ullah.  
Mr. St. George H. S. Jackson.  
Kunwar Bisheshwar Dayal Sethi.  
Mr. J. P. Srivastava.

*Noes.*

Mr. A. P. Dube.  
Pandit Rakesh Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahi Bedar.  
Thakur Manjit Singh Rathor.  
Rai Sahib Lala Jagdish Prasad.  
Chaudhri Vijai Pal Singh.  
Thakur Manak Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badam Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.  
Pandit Doota Prasad.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.

Babu Kavendra Narayan Singh.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Pallabhi Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Mr. G. Y. Chinkamani.  
Maulvi Zahur-ud-din.  
Hafez Muhammad Ibrahim.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Shambhu Dayal.  
Raja Jagannath Baksh Singh.  
Pandit Iqbal Narayan Gurtu.

*The Hon'ble the President then adjourned the Council till April 2, 1927.*

## APPENDIX A.

(See page 1053 *supra*.)

*List referred to in answer to starred question No. 15 for the Council meeting of March 30, 1927.*

No.	Name.	District.	Date of original posting to the district.	Period of leave.	Date of reposting to the same district.
<i>Magistrates and Collectors.</i>					
1	Mr. C. W. Grant ..	Saharanpur	28-11-'23	13-4-'26 to 10-10-'23	20-10-'23
2	Mr. S. S. Nehru ..	Hamirpur ..	22-10-'23	27-4-'27 to 9-11-'23	10-11-'23
3	Mr. R. C. A. S. Hobart	Fyzabad ..	12-5-'22	10-4-'24 to 9-11-'24	10-11-'24
4	Mr. P. Mason ..	Bara Banki	19-11-'23	11-9-'23 to 8-11-'23	4-11-'23
5	Mr. S. H. Thompson ..	Gonda ..	4-5-'21	23-8-'23 to 5-12-'26	6-12-'26
6	Kunwar Maharaj Singh, C.I.E.	Bahraich ..	10-4-'23	26-3-'25 to 25-10-'25	3-8-'26
(He was also on deputation under the Government of India from November 10, 1924, to March 10, 1925, and again from October 26, 1925, to March 7, 1926.)					
<i>Deputy Collectors.</i>					
1	Mirza Ali Sajjad Husain	Mirzapur ..	9-3-'22	3-12-'24 to 22-7-'25	23-7-'25
2	Mr. S. W. Bobb ..	Allahabad ..	10-12-'22	26-8-'26 to 30-9-'26	1-10-'26
3	Saiyid Muhammad Ahmad.	Ditto ..	29-4-'21	11-3-'23 to 26-8-'23	27-8-'23

## APPENDIX B.

(See page 1053 *supra*.)

*Statement referred to in answer to starred question No. 33 for March 30, 1927.*

Name of Government Intermediate College.	Number of students on March 31, 1926.	Number of staff belonging to—	
		Provincial service.	Imperial service.
1. Government Intermediate College, Allahabad..	611	2	1
2. Ditto Etawah ..	435	3	Nil.
3. Ditto Jhansi ..	318	3	Nil.
4. Ditto Fyzabad ..	650	4	Nil.
5. Ditto Almora ..	315	1	1
6. Ditto Moradabad	475	4	Nil.
7. Government Jubilee Intermediate College, Lucknow.	406	1	1
8. Queen's College, Benares ..	694	2	1

## APPENDIX C.

(See para 106 supra.)

*Statement referred to in the answer to starred question No. 42 for March 30, 1927.*

1	2	3	4	5	6	7	8	
	Name of proprietor.	District where situated.	Area in acres.	Amount of Government loan taken.	Remissions made by Government.	Whether run at a profit or loss.	Whether imported implements are used or Hindustani ones.	
1	Kunwar Har Prasad Singh, M.L.A., at Khurand.	Banda ..	150	No loans were taken from Government.	No remissions were taken from Government.	Profit ..	Both imported and Hindustani implements are used.	
2	Kunwar Har Prasad Singh, M.L.A., at Simri.	Do. ..	100			Loss ..		
3	Kunwar Har Prasad Singh, M.L.A., at Tobra Moha.	Do. ..	200			Profit ..		
4	Kunwar Har Prasad Singh, M.L.A., at Chaubepur.	Do. ..	200			Do. ..		
5	Shaikh Musad-uz-Zaman, Bar-at-Law, at Nawada.	Do. ..	100			Loss ..		
6	Gajadhar ..	Do. ..	90			Profit ..		
7	Pandit Baldeo Prasad ..	Do. ..	700			Do. ..		
8	Pandit Bhagirath ..	Do. ..	50			Do. ..		
9	At Mangral (a) ..	Hamirpur ..	15			Do. ..		
10	Dharam Das ..	Do. ..	15			Do. ..		
11	Hindeopat ..	Do. ..	15			Do. ..		
12	Jaganmuth Prasad ..	Do. ..	15			Do. ..		
13	Rajdhar ..	Do. ..	25			Do. ..		
14	Matadin ..	Do. ..	20			Do. ..		
15	Roop Singh ..	Do. ..	15			Do. ..		
16	Bhaiya Lal ..	Do. ..	20			Do. ..		
17	Jasi Ram ..	Do. ..	15			Do. ..		
18	Kamta Prasad ..	Do. ..	15			Do. ..		
19	Mohan Singh ..	Do. ..	20			Do. ..		
20	Babu Gur Dayal ..	Jhansi ..	22			Loss ..		
21	At Sahagpur (a) ..	Do. ..	20			Do. ..		
22	At Rowan (a) ..	Do. ..	16			Profit ..		
23	Court of Wards farm ..	Jalaun ..	108	No loans were taken from Government.	No remissions were taken from Government.	Figures are not available.		
24	Budh Singh ..	Do. ..	84					
25	Murlidhar ..	Do. ..	80					
26	Hanumat Singh ..	Do. ..	80					
27	Har Chand Singh ..	Do. ..	80					
28	Baij Nath ..	Do. ..	80					
29	Ujagar Singh ..	Do. ..	20					
30	Nirmalji ..	Do. ..	25					
31	Brij Narain ..	Do. ..	40					
32	Chandrika Prasad ..	Do. ..	25					
33	Bachu Singh ..	Do. ..	25					
34	Pandit Ram Kishore Dube.	Allahabad ..	65					
35	Hindi Sahitya Sammelan.	Do. ..	28					

(a) Names of proprietors are not known.

Serial number.	Names of proprietors.	District where situated.	Area in acres.	Amount of Government loan taken.	Remissions made by Government.	Whether run at a profit or loss.	Whether imported implements are used or Hindustani ones.
1	2	3	4	5	6	7	8
36	R. B. L. N. Sharma,	Mirzapur	150	No loans were taken from Government.	No loans were taken from Government.	Financial condition is not known but they look prospering.	Both imported and Hindustani implements are used.
37	Private Secretary to	Ditto ..	100				
38	His Highness the	Ditto ..	75				
39	Maharaja of Kashi.	Ditto ..	50				
40	Dr. R. L. Bhattacharya	Ditto ..	50				
41	Dr. Captain Kirki, C.S.	Ditto ..	150				
42	Mahant Mayanandgiri..	Ditto ..	125				
43	Mahant Parmanandgiri	Ditto ..	100				
44	Seth Udit Lal	Ditto ..	1,000				
45	Raja Sahib Bashar	Ditto ..	25				
46	Aghori Raj.	Ditto ..	30	No loans were taken from Government.	No loans were taken from Government.	Financial condition is not known but they look prospering.	Both imported and Hindustani implements are used.
47	Pandit Sadayatan Pandey, M.L.C.	Ditto ..	30				
48	Pandit Raja Ram ..	Ditto ..	100				
49	Mr. Yusuf Imam	Ditto ..	113				
50	Honorary Lieut. Subedar Abdul Wahab.	Ditto ..	150				
	Honorary Lieut. Subedar Major Abdul Karim Khan.	Ditto ..					
	Mahant Mayanandgiri..						

## APPENDIX D.

(See page 1056 *supra*.)

*Statement showing takavi advances received for tube wells, etc.,  
from July 1, 1925 to June 30, 1926.*

Serial No.	Date of receipt.	From whom received.	Amount.	For whom received.
			Rs.	
1	August 27, 1925 ..	Collector, Moradabad ..	5,000	M. Muhammad Shafi of Bilari.
2	September 23, 1925	Deputy Commissioner, Kheri	8,700	Messrs. Dwarka Prasad and Brothers.
3	November 10, 1925	Collector, Gorakhpur ..	2,000	B. Dwarka Dishi Prasad.
4	November 17, 1925	Do. Muzaffarnagar ..	8,440	Ch. Ghanshiam Singh.
5	November 23, 1925	Do. Gorakhpur ..	3,810	B. Jugul Kishore, Vakil.
6	November 24, 1925	Do. Moradabad ..	6,890	M. Afzal Ahmad.
7	December 14, 1925	Do. do. ..	5,820	S. Ram Ratan Jaini.
8	December 18, 1925	Do. Gorakhpur ..	40,000	Sardar Kirpal Singh.
9	January 6, 1926 ..	Do. do. ..	8,000	R. S. B. Murari Lal.
10	January 15, 1926 ..	Do. Agra ..	6,000	Lala Panna Lal.
11	January 23, 1926 ..	Do. Moradabad ..	8,000	M. Muhammad Raza Khan.
12	February 5, 1926 ..	Do. Meerut ..	10,000	Ch. Ghanshiam Singh.
13	February 25, 1926	Deputy Commissioner, Hardoi	6,000	Ch. Nabi Jan.
14	March 10, 1926 ..	Collector, Bareilly ..	10,000	Th. Bhagwan Sahai.
15	March 25, 1926 ..	Do. Gorakhpur ..	10,000	B. Udai Pratap Bahadur.
16	Ditto ..	Do. Benares ..	5,000	B. Shri Nath.
17	Ditto ..	Do. Bijnor ..	2,988	B. Ram Autar Shastri.
18	March 27, 1926 ..	Deputy Commissioner, Hardoi.	6,000	P. Lajja Ram.
19	ditto ..	Collector, Jaunpur ..	8,584	S. Ali Sajjad.
20	April 6, 1926 ..	Do. Gorakhpur ..	4,000	B. Gauri Prasad.
21	Ditto ..	Do. Moradabad ..	1,000	S. Krishna Sahai.
22	May 8, 1926 ..	Do. Gorakhpur ..	4,910	R. S. B. Murari Lal.
23	May 15, 1926 ..	Do. Moradabad ..	1,500	M. Afzal Ahmad.
24	May 25, 1926 ..	Do. do. ..	8,140	M. Ikram Ahmad.
25	June 14, 1926 ..	Deputy Commissioner, Hardoi.	9,500	B. Jalpa Bakhsh.
26	June 26, 1926 ..	Collector, Gorakhpur ..	8,890	Sardar Satyavan Singh.
		Total ..	1,94,422	

## APPENDIX E.

(See page 1061 *supra*.)

*Statement showing the action taken on the nominal cuts made by the Legislative Council in the budgets for 1924-25, 1925-26, and 1926-27.*

Serial number.	Head.	Amount.	Reason for the nominal cut.	Action taken.
1924-25.		Rs.		
1	24—Administration of justice—High Court.	5,000	Asking for the appointment of an Indian as Registrar of the High Court at Allahabad.	In the absence of a vacancy Government have not considered the matter.
2	26—Police—Superintendence.	100	Asking for the abolition of a post of Deputy Inspector General of Police.	None.
3	32—Medical—Medical establishment—District Medical officers' salaries.	1	Protest against the reservation of certain civil surgeoncies for members of the I. M. S.	Government have brought the views expressed in debate to the notice of the Government of India.
1925-26.				
1	22—General administration—Head of provinces, etc.	100	(a) Appointment of district advisory committee.	None.
..	..		(b) Increase in the number of Council meetings.	The decision in the matter rests with His Excellency the Governor.
..	..		(c) Representative for the Lucknow University in the United Provinces Legislative Council.	None.
2	General administration—General Secretariat.	1,000	Indianization of superior posts in the Secretariat.	Government are appointing another Indian officer as deputy secretary in the near future.
3	General administration—General establishment—Deputy collectors and probationary deputy collectors.	100	(a) To voice the claims of deputy collectors to superior posts. (b) Separation of judicial and executive functions.	Government have listed two more superior I. C. S. posts and are considering the listing of a third. The matter is still under the consideration of the Government of India.
4	General administration—Lump reduction.	100	Protest against the action of the district magistrate, Muzaffarnagar, at the Ram Lila procession.	Government had expressed their disapproval to the district magistrate before the cut was moved.
5	General administration—Commissioners.	100	Expressing disapproval at the continuance of appointment of Commissioners.	No action regarding the abolition of commissionships is contemplated until the effect of the new Tenancy Act on their appellate work is known.

Serial number.	Item.	Amount.	Reason for the nominal cut	Action taken.
		Rs.		
6	21—Administration of justice—Law officers—Personal Assistant to Legal Remembrancer.	10	Asking for a change in the designation of the Personal Assistant to Deputy Legal Remembrancer.	The designation of the post has been altered.
7	Administration of justice—Civil and Sessions Courts—District and Sessions Judges—Diet to witnesses and assessors.	100	Dissatisfaction at the treatment meted out to assessors in courts in the matter of seating accommodation.	The debate was brought to the notice of the High Court, and the then Judicial Commissioner.
8	22—Jails and convict settlements—Superintendence.	1	To express displeasure in the matter of the treatment of offenders in jails, of political prisoners, and others.	Latrines and bathing paradises have been abolished. The new Jail Manual contains rules for the treatment of prisoners classified as special division prisoners. The employment of prisoners on work of a productive and educative nature is being extended.
9	26—Police—District police—Salaries—Superintendents and Assistant Superintendents.	1	Indianization of the police service.	One more post has been listed, making eight out of the thirteen which makes up 20 per cent.
10	32—Medical—Medical establishment.	1	Control of the medical services in the province.	The Local Government are still in correspondence with the Government of India on the whole question of the reorganization of the services.
<b>1926-27.</b>				
1	Medical—Superintendence—Provision for leave arrangements.	1	Abolition of the post of Inspector-General of Civil Hospitals.	No action has been taken.
2	Medical—Medical establishment.	1	To bring to notice the grievances of I. M. D. officers in civil employ.	I. M. D. civil surgeons have been permitted to count previous period of service as civil surgeons for increments in the time-scale of pay; and the requisite supply was obtained through a supplementary estimate.
3	Irrigation .. ..	100	Protest against high canal rates.	Government have decided that the existing canal rates cannot be reduced.
4	Police—Village police..	100	Increase in the number of chaukidars.	A scheme is ready. Its adoption depends on funds being available.
5	General Administration—Legislative Council.	101	More meetings and more days for non-official business.	The allotment of days for business is fixed by His Excellency the Governor.



Serial number.	Head.	Amount.	Reason for the nominal cut.	Action taken.
		Rs.		
6	General administration —Secretariat.	12	Protest against slow progress of Secretariat Indianization.	Government propose to appoint another Indian officer as deputy secretary in the near future.
7	General administration —Commissioners.	10	Protest against non-reduction of the posts of Commissioners.	No action regarding the abolition of the posts of commissioners is contemplated until the effect of the new Tenancy Act on appellate work is known.
8	General administration —Board of Revenue.	101	Protest against the circular regarding ejectment suits.	Section 276 of the Agra Tenancy Bill disposed of this matter.
9	Education .. ..	10	Protest against insufficient help to Aligarh and Benares universities.	No action has been taken.

## APPENDIX F.

(See page 1068 *supra*.)

## STATEMENT A.

*Expenditure per head of population from provincial revenue under the following heads in the year 1925-26.*

Heads.	Expenditure.	Expenditure per head.
	Rs	Rs.
(i) General administration .. ..	1,31,93,603	0.291
(ii) Land revenue .. ..	81,80,474	0.18
(iii) Administration of justice .. ..	71,25,728	0.157
(iv) Police .. ..	1,62,93,977	0.359
(v) Jails and convict settlements .. ..	34,93,321	0.077
(vi) Education .. ..	1,34,95,096	0.408
(vii) Medical .. ..	29,38,058	0.065
(viii) Public health .. ..	44,82,502	0.099
(ix) Agriculture .. ..	26,77,308	0.059
(x) Industries .. ..	10,74,362	0.024
(xi) Communications .. ..	* 33,26,678	0.084
(xii) Irrigation works .. ..	..†	..†

\* Excludes share of charges on establishment and tools and plant debitable to communications.

† It is not clear what is meant by minor irrigation works. A minor work in 1925-26 was one estimated to cost less than Rs. 5,000; and to obtain details of all such minor works will necessitate inquiries from every Irrigation division.

## STATEMENT B.

*Expenditure on buildings under the following heads in the year 1925-26.*

Heads.	Total expenditure.		Amount of expenditure on buildings included in total.	
	Rs.		Rs.	
(i) General administration .. ..	1,31,93,603		2,58,040	
(ii) Land revenue .. ..	81,80,474		8,883	
(iii) Administration of justice .. ..	71,25,728		1,18,166	
(iv) Police .. ..	1,62,93,977		3,09,492	
(v) Jails and convict settlements .. ..	34,98,321		1,12,438	
(vi) Education—(a) On Government buildings .. } (b) Building grants-in-aid .. }	1,84,95,096		{ 2,26,269 8,36,982	
(vii) Medical .. ..	29,38,058		58,781	
(viii) Public health .. ..	44,82,502		31,600	
(ix) Agriculture .. ..	26,77,903		64,079	
(x) Industries .. ..	10,74,362		53,819	

## STATEMENT C.

*Expenditure under the following heads and the percentage it bears to total provincial revenue and expenditure in the year 1925-26.*

Heads.	Expenditure.	Provincial revenue.	Percentage.	Provincial expenditure.	Percentage.
	Rs.	Rs.	Rs.	Rs.	Rs.
(i) General administration ..	1,31,93,603	12,71,10,478	10·4	13,01,41,553	10·1
(ii) Land revenue .. ..	81,80,474		6·4		6·3
(iii) Administration of justice	71,25,728		5·6		5·5
(iv) Police .. ..	1,62,93,977		12·8		12·5
(v) Jails and convict settlements.	34,98,321		2·8		2·7
(vi) Education .. ..	1,84,95,096		14·6		14·2
(vii) Medical .. ..	29,38,058		2·3		2·2
(viii) Public health .. ..	44,82,502		3·5		3·4
(ix) Agriculture .. ..	26,77,903		2·1		2·1
(x) Industries .. ..	10,74,362		0·845		0·826
(xi) Communications .. ..	* 38,26,653		3		2·9

\* Excludes share of charges on establishment and tools and plant debitable to communications.

## APPENDIX G.

(See page 1069 *supra*.)*Statement referred to in answer to part (b) of unstarred question**No. 21 for March 30, 1927.*

## UNITED PROVINCES LEGISLATIVE COUNCIL

Name of constituency.	Class of constituency.	Extent of constituency.	Names of candidate elected.
Upper India Chamber of Commerce.	Commerce and Industry.	Non-territorial ..	Edward Matheson Souter.
Meerut-cum-Aligarh	Non-Muhammadian Urban.	The municipality and cantonment of Meerut and the municipality of Aligarh.	Rai Bahadur Lala Sita Ram, M.A., LL.B.
Mainpuri district..	Non-Muhammadian Rural.	Mainpuri district ..	Rai Bahadur Pandit Kharagjit Misra, M.A., LL.B.
Fatehpur district..	Ditto ..	Fatehpur district ..	Babu Uma Shankar.
Gorakhpur district (East).	Ditto ..	The Padrauna, Hata, and Deoria tahsils.	Raja Indrajit Pratap Bahadur Sahi.
Basti district ..	Ditto ..	Basti district ..	Bhaya Hanumat Prasad Singh.
Fyzabad district ..	Ditto ..	Fyzabad district ..	Babu Mahendra Deva Varma alias Lalji.
Aligarh, Muttra, and Agra districts (Muhammadian).	Muhammadian Rural.	The districts of Aligarh (excluding the municipality of Aligarh), Muttra, and Agra (excluding the municipality and cantonment of Agra).	Maulvi Muhammad Obaid-ur-Rahman Khan,
Mainpuri, Etah, and Farrukhabad districts (Muhammadian).	Ditto ..	The districts of Mainpuri, Etah, and Farrukhabad.	Shalkh Abdullah.
Etawah, Cawnpore, and Fatehpur districts (Muhamman).	Ditto ..	The districts of Etawah, Cawnpore, and Fatehpur (excluding the municipality and cantonment of Cawnpore).	Khan Bahadur Hafiz Hidayat Husain, B.A.
Allahabad, Jaunpur, and Mirzapur districts (Muhammadian).	Ditto ..	The districts of Allahabad, Jaunpur and Mirzapur (excluding the municipality and cantonment of Allahabad).	Nawab Muhammad Yusuf.
Gorakhpur district (Muhammadian).	Ditto ..	Gorakhpur district ..	Khan Bahadur Mr. Muhammad Ismail.

Name of constituency.	Class of constituency.	Extent of constituency.	Name of candidate elected.
Badaun district (Muhammadian).	Muhammadian Rural.	Badaun district ..	Khan Bahadur Saiyid Muhammad.
Kheri and Sitapur districts (Muhammadian).	Ditto ..	The districts of Kheri and Sitapur.	Mr. S. M. Habibullah.
Agra Landholders (North).	Landholder ..	The Agra, Meerut, Rohilkhand and Kumaun divisions.	Rai Sahib Munshi Ambo Prasad.
Upper India Chamber of Commerce.	Commerce and Industry.	(Non-territorial) ..	Mr. J. P. Srivastava.
United Provinces Chamber of Commerce.	Ditto ..	Ditto ..	Rai Bahadur Babu Vikramajit Singh, B.A., M.A.

*Statement referred to in answer to part (d) of unstarrred question No. 21 for March 30, 1927.*

Serial no.	Name of constituency.	Name of candidate.	Number of votes secured.
1	Allahabad, Jaunpur, and Mirzapur districts, Muhammadian Rural.	Uncontested .. ..	..
2	Meerut-cum-Aligarh, Non-Muhammadian Urban.	Ditto .. ..	..
3	Gorakhpur district (East), Non-Muhammadian Rural.	Ditto .. ..	..
4	Aligarh, Muttra, and Agra districts, Muhammadian Rural.	Ditto .. ..	..
5	Mainpuri, Etah, and Farrukhabad districts, Muhammadian Rural.	Ditto .. ..	..
6	Etawah, Oawnpore, and Fatehpur districts, Muhammadian Rural.	Ditto .. ..	..
7	Gorakhpur district, Muhammadian Rural.	Ditto .. ..	..
8	Budaun district, Muhammadian Rural.	Ditto .. ..	..
9	Kheri and Sitapur districts, Muhammadian Rural.	Ditto .. ..	..
10	Agra Landholders (North) ..	Ditto .. ..	..
11	Upper India Chamber of Commerce..	Ditto .. ..	..
12	United Provinces Chamber of Commerce.	Ditto .. ..	..
13	Bulandshahr district, Muhammadian Rural.	Lieut. Khan Bahadur Nawabzada Abdus Sami Khan Khan.	4,187
14	Bulandshahr district (East), Non-Muhammadian Rural.	M. Rahmat Khan .. .. Pandit Nanak Chand .. .. Sohan Lal .. .. Indramani .. ..	2,223 7,714 4,984 486
15	Bulandshahr district (West), Non-Muhammadian Rural.	Thakur Manak Singh .. .. Babu Lal .. ..	5,972 4,190
16	Naini Tal district, Non-Muhammadian Rural.	Pandit Govind Ballabh Pant .. .. Babu Raghunandan Prasad .. .. Kunwar Bhupal Singh .. ..	5,826 743 122
17	Dehra Dun district, Non-Muhammadian Rural.	Thakur Manjit Singh Rathor .. .. Mr. Ugra Sen .. ..	2,532 1,645

Serial no.	Name of constituency.	Name of candidate.	Number of votes secured.
18	Dehra Dun district, Muhammadan Rural.	Mr. Tufail Ahmad ..	2,625
19	Farrukhabad district, Non-Muhammadan Rural.	Rao Sahib Abdul Hamid Khan ..	1,852
		Lieut. Raja Durga Narayan Singh.	11,119
		Rai Bahadur Lala Sarup Narayan.	3,955
20	Basti district, Muhammadan Rural	Babu Bindra Ban ..	1,840
		Shaikh Ghulam Husain ..	2,025
21	Basti district, Non-Muhammadan	Abdul Hakeem ..	1,758
22	Unao district, Non-Muhammadan Rural.	Uncontested ..	..
		Rai Bahadur ChauChri Jagannath Prasad.	5,248
		Dwarka Nath ..	4,933
		Bishambhar Dayal ..	1,863
		Harish Chandra ..	207
23	Sultanpur district, Non-Muhammadan Rural.	Kunwar Surendra Pratap Sahai	6,478
		Kunwar Jang Bahadur Singh ..	6,312
24	Sultanpur, Partabgarh, and Rae Bareli districts, Muhammadan Rural.	Mr. Muhammad Habib ..	2,159
		Abdus Samad ..	1,592
		Muhammad Afzal ..	1,368
25	Muttra district, Non-Muhammadan Rural.	Thakur Hukum Singh ..	5,649
		Rai Bahadur Ram Nath ..	3,077
		Rai Sahib Nathimal ..	1,297
		Babu Gobind Das ..	8
26	Almora district, Non-Muhammadan Rural.	Pandit Badri Datt Pande ..	10,583
		Pandit Lakshmi Datt ..	3,302
27	Benares, Ghazipur, Ballia, and Azamgarh districts, Muhammadan Rural.	Khan Bahadur Shah Badre Alam.	1,303
		Sultan Muhammad ..	1,039
		Muhammad ..	736
		Abdul Khan ..	735
		Hamid Husain ..	312
28	Agra city, Non-Muhammadan Urban	Babu Prag Narayan ..	2,726
		Lala Kishan Lal ..	1,725
29	Agra district, Non-Muhammadan Rural.	Raja Kushal Pal Singh ..	8,438
		Pandit Shri Krishna Datt Paliwal.	8,365
30	Garhwal district, Non-Muhammadan Rural.	Mr. Makundi Lal ..	11,267
		Narayan Singh ..	2,730
31	Etah district, Non-Muhammadan Rural.	Rai Krishna Pal Singh ..	10,492
		Lala Mahendra Pal Singh ..	5,519
32	Aligarh district (East) Non-Muhammadan Rural.	Thakur Partab Bhan Singh ..	6,754
		Jwala Prasad ..	4,279
		Raj Kumar Singh ..	1,889
		Ram Dayal Fuller ..	589
33	Aligarh district (West), Non-Muhammadan Rural.	Thakur Bikram Singh ..	7,246
		Todar Singh ..	2,498
		Shiv Narain Singh ..	1,294
34	Ballia district, Non-Muhammadan Rural.	Rai Bahadur Thakur Hanuman Singh.	4,260
		Thakur Bhagwan Prasad Singh	4,063
35	Muzaffarnagar district, Non-Muhammadan Rural.	Rai Sahib Lala Jagdish Prasad	12,410
		Babu Bishambhar Dayal ..	4,841
36	Muzaffarnagar district, Muhammadan Rural.	Nawabzada Muhammad Liaquat Ali Khan.	5,178
		Nawabzada Muhammad Aijaz Ali Khan.	3,189
37	Lucknow city, Non-Muhammadan Urban.	Pandit Rahas Bihari Tiwari ..	5,808
		Babu Ram Chandra ..	3,200
		Haji Abdul Qayyum ..	3,899
38	Lucknow-cum-Cawnpore, Muhammadan Urban.	S. Zahur Ahmad ..	2,035
		S. Shaikat Ali ..	913

Serial no.	Name of constituency.	Name of candidate.	Number of votes secured.
39	Harden, Lucknow, and Unao districts, Muhammadan Rural.	Raja Saiyid Ahmad Ali Khan Ali.	2,967
40	Lucknow district, Non-Muhammadan Rural.	Chaudhri Khaliq-uz-zaman .. Sirdar Nihal Singh .. Pandit Harkaran Nath Misra .. Chaudhri Gajadhar Prasad .. Pandit Sarup Narain Bakshi .. Pandit Bhagwat Narain Bhar-gava.	1,870 3,075 2,194 2,097 1,995 5,201
41	Jhansi district, Non-Muhammadan Rural.	Pandit Thakur Prasad .. Shaikh Habibullah .. Khan Bahadur Saiyid Masud-uz-zaman.	2,080 1,928 910
42	Jhansi division, Muhammadan Rural.	M. Abdul Bari .. Mr. M. Abdul Bari .. M. Ashraf Saifi .. Lieut. Nawab Jamshed Ali Khan Rashid Ahmad .. Chaudhri Vijai Pal Singh .. Chaudhri Ram Singh .. Chaudhri Dharamvir Singh .. Chaudhri Udaibir Singh .. Chaudhri Sheoraj Singh .. Pandit Brijmudan Prasad Misra.	896 3,174 2,114 6,628 1,045 5,067 2,748 5,983 3,450 2,901 4,418
43	Pilibhit district, Non-Muhammadan Rural.	Babu Uma Charan .. Uncontested.	3,086 ..
44	Agra and Meerut-cum-Aligarh, Muhammadan Urban.	Lala Nemi Saran .. Lala Jagmendar Das .. Hafiz Muhammad Ibrahim .. Zamir Ahmad .. Amir Hasan Khan .. Babu Kishori Prasad .. Pandit Harbans Prasad Pathak	9,089 7,879 3,812 2,488 1,981 2,780 1,909
45	Meerut district, Muhammadan Rural.	Lala Kalu Ram .. Raja Sri Krishna Datt Dube .. Thakur Tilakdhari Singh .. Pandit Deota Prasad .. Babu Zorawar Singh .. Rai Bahadur Babu Abhinandan Prasad.	1,262 8,971 5,911 9,248 4,879 4,765
46	Meerut district (South), Non-Muhammadan Rural.	Pandit Ram Bali Rai .. Uncontested ..	2,452 ..
47	Meerut district (North), Non-Muhammadan Rural.	Thakur Shiva Shankar Singh .. Babu Bhagwant Prasad .. Pandit Shri Sadayatan Pande .. Mr. P. N. Dass .. Rabhu Sangam Lal .. Thakur Har Prasad Singh .. Babu Parmeshwar Dayal .. Khan Bahadur Hakim Mahbub Ali Khan.	4,920 1,414 3,639 2,354 1,281 3,058 1,490 2,887
48	Mainpuri district, Non-Muhammadan Rural.	M. Shakirdad Khan .. M. Zuhar-ud-din .. M. Imdad Husain Khan .. Lieut. Raja Kali Charan Misra Lala Dhakan Lal .. Rai Bahadur Lala Sham Sunder Lal.	1,891 2,525 1,928 8,927 7,568 1,955
49	Bijnor district, Non-Muhammadan Rural.	Babu Chhail Bihari Kapur .. Babu Tikait Rai ..	1,064 164
50	Bijnor district, Muhammadan Rural.		
51	Banda district, Non-Muhammadan Rural.		
52	Jaunpur district, Non-Muhammadan Rural.		
53	Etawah district, Non-Muhammadan Rural.		
54	Gerakhpur district (West), Non-Muhammadan Rural.		
55	Fatehpur district, Non-Muhammadan Rural.		
56	Ghazipur district, Non-Muhammadan Rural.		
57	Mirzapur district, Non-Muhammadan Rural.		
58	Hamirpur district, Non-Muhammadan Rural.		
59	Bareilly district, Muhammadan Rural.		
60	Bareilly and Shahjahanpur-cum-Moradabad, Muhammadan Urban.		
61	Bareilly district, Non-Muhammadan Rural.		
62	Bareilly city, Non-Muhammadan Urban.		

Serial no.	Name of constituency.	Name of candidate.	Number of votes secured.
63	Cawnpore city, Non-Muhammadian Urban.	Babu Ganesh Shankar Vidyarthi. Chunni Lal Gurg .. .. Chunni Lal Vaish .. .. Radha Raman .. .. Jata Shanker .. .. Sundar Lal .. .. Gur Prasad .. ..	7,864 3,786 19 4 1 1 1
64	Cawnpore district, Non-Muhammadan Rural.	Babu Shyam Lal .. .. Manni Lal .. .. Ram Prasad Dube .. .. Sheo Nandan .. .. Ram Prasad Misra .. ..	6,980 3,259 2,779 759 626
65	Saharanpur district, Non-Muhammadan Rural.	Chaudhri Mangat Singh .. .. Pardit Mohan Lal .. ..	7,194 6,683
66	Saharanpur district, Muhammadan Rural.	Khan Bahadur Shaikh Zia-ul-Haq. M. Shahab-ud-din .. .. M. Safdar Khan .. ..	4,751 1,018 789
67	Hardoi district, Non-Muhammadan Rural.	Rai Bahadur Babu Mohan Lal Rai Bahadur Thakur Mashal Singh.	9,083 9,028
68	Kheri district, Non-Muhammadan Rural.	Rai Bahadur Pandit Sankata Prasad Bajpai.	5,244
69	Moradabad-cum-Shahjahanpur, Non-Muhammadan Urban.	Babu Sita Ram .. .. Babu Bhagwat Sahai Pedar .. .. Shanti Prasad .. .. Bhagwati Prasad .. .. Kalka Prasad .. ..	1,871 1,702 980 401 170
70	Moradabad district, Non-Muhammadan Rural.	Rao Sahib Kunwar Sadar Singh Rama Shankar .. ..	12,233 10,793
71	Moradabad (North), Muhammadan Rural.	Dr. Shafat Ahmad Khan .. .. Mumtaz Ali Khan .. ..	3,459 2,424
72	Moradabad (South), Muhammadan Rural.	Khan Bahadur Saiyid Jafar Husain. Ashiq Husain .. ..	3,643 2,353
73	Kumaun division-cum-Pilibhit, Muhammadan Rural.	Khan Bahadur Maulvi Fasih-ud-din. Khan Bahadur Malik Shahinshah Wali Khan.	2,237 866
74	Gonda district, Non-Muhammadan Rural.	Raja Raghuraj Singh .. .. Chunni Lal .. .. Prag Das .. ..	8,516 4,746 96
75	Fyzabad district, Non-Muhammadan Rural.	Uncontested .. ..	..
76	Partabgarh district, Non-Muhammadan Rural.	Mr. C. Y. Chintamani .. .. Radhe Behari .. .. Kunwar Behari Lal .. .. Babu Ram Das .. .. Babu Mata Prasad .. ..	4,064 1,010 1,554 81 8
77	Rae Bareilly district, Non-Muhammadan Rural.	Raja Bahadur Bishwanath Saran Singh. Pandey Amarnath .. .. Chaudhri Badan Singh .. ..	10,587 2,973 4,649
78	Budaun district, Non-Muhammadan Rural.	Rai Bahadur Lala Prij Lal Bhadwar. Kunwar Hakim Singh .. ..	4,068 3,400
79	Bahraich district, Non-Muhammadan Rural.	Maharaj Kunwar Major Mahijit Singh. Kunwar Rudra Pratap Narayan Singh. Sardar Autar Singh .. ..	11,523 4,322 2

Serial no.	Name of constituency.	Name of candidate.	Number of votes secured.
80	Gonda and Bahraich districts, Muhammadan Rural.	Khalil Ahmad Shah .. Khan Bahadur M. Siddiq Ahmad ..	3,407 2,518
81	Allahabad-cum-Benares, Muhammadan Urban.	Mr. Zahur Ahmad .. H. Ghazanfarullah ..	4,070 807
82	Allahabad city, Non-Muhammadan Urban.	Mr. A. P. Dubey .. Ramta Prasad Kakkar ..	2,753 2,242
83	Allahabad district, Non-Muhammadan Rural.	Pandit Venkatesh Narayan Tiwari .. Pandit Kapildeo Malaviya ..	6,999 5,233
84	Bara Banki district, Non-Muhammadan Rural.	Hon. Rai Rajeshwar Bali .. Jaikaran Nath Misra ..	16,758 12,494
85	Fyzabad and Bara Banki districts, Muhammadan Rural.	Chaudhri Niamat Ullah .. Mujtaba Husain ..	2,550 41
86	Sitapur district, Non-Muhammadan Rural.	Hon. Thakur Rajendra Singh .. Thakur Indra Singh ..	11,552 6,796
87	Jaloun district, Non-Muhammadan Rural.	Rao Udaibir Singh .. Jhanni Lal ..	3,896 2,975
88	Benares City, Non-Muhammadan Urban.	Murli Dhar .. Boni Prasad ..	2,438 18
89	Benares district, Non-Muhammadan Rural.	Babu Sampurnanand .. Rai Tadar Mal ..	2,669 1,069
90	Shahjahanpur district, Muhammadan Rural.	Pandit Bisheshwar Prasad .. Babu Kavendra Narayan Singh ..	504 4,534
91	Shahjahanpur district, Non-Muhammadan Rural.	Babu Achaibar Singh .. Pandit Yajna Narayan Upadhyay ..	2,835 1,320
92	Taluqdara .. .. .	Khan Bahadur Maulvi Muhammad Fazl-ur-Rahman Khan .. Inayat Ali Khan ..	1,378 83
93	European .. .. .	Thakur Sadho Singh .. Man Mohan Sahni ..	2,910 2,549
94	Agra Landholders (South) .. .. .	Raja Indra Bikram Singh .. Lala Sarju Lal ..	1,749 703
95	University .. .. .	Rai Bahadur Lala Mathura Prasad Mehrotra .. Raja Jagannath Baksh Singh ..	138 123
		Raja Shambhu Dayal .. Kunwar Bisheshwar Dayal Seth ..	116 101
		Chaudhri Mujtaba Husain .. Lieut. Raja Imtiaz Rasul Khan ..	101 72
		Hon. Rai Rajeshwar Bali, C.M.S. .. Mr. St. George Jackson ..	3 443
		Mr. J. H. Abbott .. Rai Bahadur Lala Bohari Lal ..	212 153
		Babu Badri Narayan .. Pandit Iqbal Narayan Gurtu ..	23 1,730
		Dr. Ganesh Prasad ..	1,225



# LEGISLATIVE COUNCIL, UNITED PROVINCES OF AGRA AND OUDH.

*Saturday, April 2, 1927.*

THE Council met in the Council Chamber, Lucknow, at 11 a.m. The Hon'ble Rai Bahadur Lala Sita Ram in the Chair.

## PRESENT :

(97)

The Hon'ble Sir Sam O'Donnell,  
The Hon'ble Li-ut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.  
Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tullard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Pim.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.  
Mr. E. L. Norton.  
Mr. F. F. R. Channer.  
Mr. R. J. S. Todd.  
Lieut.-Col. R. F. Baird.  
Mr. A. H. Mackenzie.  
Mr. G. Clarke.  
Mirza Muhammad Sajjad Ali Khan.  
Khan Bahadur Mr. Masud-ul-Hasan.  
Mr. E. Ahmad Shah.  
Babu Ram Charana.  
Sri Ganesh Shankar Vidyarthi.  
Mr. A. P. Dube.  
Pandit Itahas Bibari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bedar.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Pandit Nanak Chand.  
Thakur Manak Singh.  
Thakur Partap Bhan Singh.  
Thakur Bikram Singh.  
Thakur Hukum Singh.  
Raja Kusthal Pal Singh.  
Rao Krishna Pal Singh.  
Lieut. Raja Kali Charan Misra.  
Lala Nem Saran.  
Chaudhri Bhan Singh.  
Thakur Sacho Singh.  
Pandit Brijmandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Babu Kishori Prasad.  
Lieut. Raja Durga Narayan Singh.

Pandit Deota Prasad.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Naraya Tiwari.  
Babu Kavendra Narayan Singh.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Rai Bahadur Babu Abhinandan Prasad.  
Bhaya Hanumat Prasad Singh.  
Babu Ganga Prasad Roy.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. Mukandi Lal.  
Sirdar Nihal Singh.  
Raja Bahadur Bishwanath Saran Singh.  
Rai Bahadur Babu Mohan Lal.  
Rai Bahadur Pandit Sankata Prasad Bajpai.  
Kunwar Surendra Pratap Sahi.  
Mr. C. X. Chintamani.  
Mr. Zahir Ahmad.  
Haji Abdul Qayum.  
Mr. Muhammad Abdul Bari.  
Maulvi Zahir-ud-din.  
Saiyid Tufail Ahmad.  
Lieut. Nawab Jamsheer Ali Khan.  
Nawabzada Muhammad Liaqat Ali Khan.  
Hafiz Muhammad Ibrahim.  
Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
Maulvi Muhammad Obaid-ur-Rahman Khan.  
Khan Bahadur Hafiz Hidayat Husain.  
Maulvi Saiyid Habibullah.  
Dr. Shafiat Ahmad Khan.  
Khan Bahadur Saiyid Jafer Hosain.  
Khan Bahadur Shaikh Saiyid Muhammad alias Maikur Mian.  
Khan Bahadur Hakim Mahbub Ali Khan.  
Khan Bahadur Maulvi Fasih-ud-din.  
Khawaja Khalil Ahmad Shah.  
Shaikh Muhammad Habibullah.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Chaudhri Nemat-ullah.  
Mr. St. George H. S. Jackson.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Kunwar Bisheshwar Dayal Seth.  
Raja Jagannath bakhsh Singh.  
Mr. E. M. Souter.  
Mr. J. P. Srivastava.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

## MEMBER SWORN.

Mr. G. Clarke.

## QUESTIONS AND ANSWERS

## STARRED QUESTIONS.

\*1 to 3. Raja Saiyid Ahmad Ali Khan Alvi : [*Postponed at the request of Government till the first day of the next session.*]

## AGRICULTURAL DEMONSTRATION FARM AT SITAPUR.

\*7. Kunwar Bisheshwar Dayal Seth : Will the Hon'ble Minister in charge of Agriculture be pleased to state if the Government have decided to open an agricultural demonstration farm at Sitapur? If so, when will it be started?

The Hon'ble Thakur Rajendra Singh : Government do not propose to open a demonstration farm in Sitapur immediately. Agricultural work is proceeding satisfactorily in the district. Private farms have been opened and where necessary assisted by grants-in-aid. If it appears later on that the work carried out by private farms needs supplementing by a Government demonstration farm the question will be reconsidered.

\*8 and 9. Pandit Shri Sadayatan Pande : [*Postponed at the request of Government till the first day of the next session.*]

## GUN LICENCES IN MIRZAPUR.

\*10. Pandit Shri Sadayatan Pande : (a) Will the Government be pleased to lay on the table a statement showing the number of licences issued for crop protection guns in the district of Mirzapur during 1923-24, 1924-25, 1925-26?

(b) How many applications for such licences were refused and on what grounds during these years?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : (a) The number of licences issued for guns for crop protection in the district of Mirzapur was 327 in 1924, 365 in 1925 and 374 in 1926.

(b) One hundred and twelve applications were refused in 1924, 161 in 1925 and 57 in 1926. The reasons cannot be stated as most of the files have been weeded out.

## CENTRES AND INVIGILATORS IN THE PERSIAN AND ARABIC EXAMINATIONS.

\*11. Pandit Shri Sadayatan Pande : (a) Will the Government be pleased to state the centres where the Persian and Arabic examinations were held in February, 1926?

(b) Has any amount been paid to invigilators?

(c) What was the total amount paid, and in what centres?

(d) Is it a fact that the invigilators at Lucknow centre have not been paid? If so, why?

The Hon'ble Rai Rajeshwar Bali : (a) Allahabad, Meerut and Lucknow.

(b) Yes.

(c) Rupees 210 at Allahabad.

(d) Yes. The department was able to secure the services of honorary invigilators.

**\*12. Lieut. Raja Durga Narayan Singh :** [*Postponed at the request of Government till the first day of the next session.*]

PROSCRIPTION OF THE BOOK "BICHITRA JEEVAN."

**\*13. Babu Prag Narayan :** Is the Government aware of the principle that while an accused is on trial no person shall do or say anything likely to prejudice the accused in his defence or a fair trial of the case?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Government are aware of the general principle.

**\*14. Babu Prag Narayan :** Is the Government aware that the abovementioned principle has been violated by Government declaration at the time of proscribing the book "Bichitra Jeevan" that the book falls within the purview of section 153A, Indian Penal Code, at a time when the author of the book was on his trial for the same offence with regard to the same book and when even the prosecution evidence had not finished?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No. In proscribing any publication the Government are required by law to state the grounds of their opinion. For the sake of brevity therefore all notifications run as follows:—" . . . inasmuch as the said publication in the opinion of the local Government contains matter the publication of which is punishable under section 153A (or section 124A, as the case may be of the Indian Penal Code." The alternative in cases held to fall under section 153A, Indian Penal Code, would be to say that "the publication contains matter which promotes or is intended to promote feelings of enmity or hatred between different classes of His Majesty's subjects." This would amount to the same thing.

The courts are not bound by these expressions of opinion, as the appellate powers of the High Court in proscription cases sufficiently show. The Government are not prepared to allow the uninterrupted circulation of mischievous literature until protracted proceedings in court are concluded.

**\*15. Babu Prag Narayan :** Is the Government aware that the said book is based on extracts from standard published books? Does the Government intend to take any action regarding the books from which extracts have been taken? If it does not, then why not?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The suggestion does not cover the entire contents of the book referred to. Further action is a matter for the exercise of the Government's discretion. None is proposed.

CERTAIN PUBLICATIONS.

**\*16. Babu Prag Narayan :** Has the Government obtained information about the books which formed the subject-matter of question by Pandit Nanak Chand, member of Bulandshahr, at the meeting of the Council on August 7, 1926? If it has not, when is the necessary information expected to be received? If it has, what action the Government proposes to take about them?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Pandit Nanak Chand mentioned five publications. The result of the inquiry made was as follows :—

No information was obtainable to show that the first publication had been circulated in the United Provinces. The circulation of the second publication appeared to have ceased and there was no copy obtainable. The Government examined reviews of the other three publications in consultation with their legal adviser. They were advised that the publications were not actionable. One of them, however, though avoiding liability to prosecution, was held to be sufficiently provocative to justify a warning which the local authorities were duly instructed to administer.

**\*17. Babu Prag Narayan :** Is the Government aware that the editor of the *Muslim Secvak*, Agra, has published the following booklets which have greatly offended Hindu feelings? Does the Government intend to take any action about them? If not, why not?

(1) Vedon main garbur, (2) Arya Samaj ki mata gaie, (3) Dayanand ki gapachhak, (4) Parvatama ki photo, (5) Qoran aur Vedon ka muqabala, (6) Vedon ki tailzeeb.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is understood that this editor is the author of Nos. (1) and (5). The Government have no information as to who is the publisher. Government have no information regarding the other booklets, but will inquire.

**\*18. Babu Prag Narayan :** Is the Government aware that for a long time books in Urdu language well known to Hindus have been published, as for example :—

(1) Raddai Hindu, (2) Taigh faqir bar gardanai sharir, (3) Arya Dharam, (4) Shuddhi Torc, (5) Unnisiwi sadi ka Mahrishi, (6) Niog ka bhog, (7) Shuddhi ke ariyal tattu par lazyana, (8) Tablighi avtar, (9) Vedon ki zulmrani Swami Dayanand ke zabani?

Was any action taken against any of them? If not, why not? Does the Government intend to take any action now? If not, why not?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** For the first book mentioned the honourable member is referred to the answer to question No. 16 just given. The answer regarding the other books mentioned is in the negative, but inquiry will be made.

#### PUNCHKOSI AND SHAKALDIHA-CHANDAULI ROADS IN BENARES.

**\*19. Babu Kavendra Narayan Singh :** (a) Has the attention of the Government been drawn to the importance of the Punchkosi and Shakaldiha-Chandauli roads in the district of Benares and the great traffic over them?

(b) If so, will the Government be pleased to hand these roads over to the Public Works department?

**The Hon'ble Nawab Muhammad Yusuf :** The Government will consider the question.

#### TOWN IMPROVEMENT, BENARES.

**\*20. Babu Kavendra Narayan Singh :** Has the Government any intention to form an improvement trust for the town of Benares?

**The Hon'ble Rai Rajeshwar Bali :** Government have no such intention at present.

\*21 and 22. **Babu Kavendra Narayan Singh:** [*Postponed at the request of Government till the first day of the next session.*]

**ZAMINDAR OF RUDRPUR, GORAKHPUR.**

\*23. **Shaikh Ghulam Husain:** Has the Government received any memorial from the Muslim inhabitants of Rudrapur, district Gorakhpur, complaining of the ill-treatment by the zamindar of Rudrapur?

**The Hon'ble Sir Sam O'Donnell:** Yes.

\*24. **Shaikh Ghulam Husain:** If the said memorial has been received by the Government, will it be pleased to state what action, if any, has been taken regarding the complaints of the Muhammadians?

**The Hon'ble Sir Sam O'Donnell:** An inquiry has been made and orders on the complaints have been passed by the district magistrate.

\*25. **Shaikh Ghulam Husain:** Has the Government obtained a copy of the report of inquiry made by the joint magistrate?

**The Hon'ble Sir Sam O'Donnell:** No formal report was submitted by the joint magistrate.

\*26. **Shaikh Ghulam Husain:** (1) Is the Government aware that on January 5 and 7, 1927, a Shuddhi Sabha was held under the presidency of the said zamindar?

(2) (a) Is it a fact that at the said meeting some Arya Samajist preachers delivered provocative speeches against the Muhammadians?

(b) Has the Government received any information regarding the alleged forcible conversion to Hinduism of some Muslim women?

(c) Is it true that immediately after the said meeting the district magistrate had to enforce section 144, Criminal Procedure Code, at Rudrapur for two months?

(d) If the answer to part (c) of this question is in the affirmative, will the Government be pleased to inquire from the district magistrate when the period of the two months expires?

**The Hon'ble Sir Sam O'Donnell:** (1) Yes.

(2) (a) Speeches were made to which exception has been taken.

(b) Information regarding the conversion of three women was received.

(c) Yes.

(d) March 7, 1927.

\*27 to 33. **Chaudhri Vijai Pal Singh:** [*Withdrawn by the honourable member.*]

\*34 to 37. **Chaudhri Vijai Pal Singh:** [*Postponed at the request of Government till the first day of the next session.*]

**CANAL IN SAMBHAL AND AMROHA, MORADABAD.**

\*38. **Khan Bahadur Saiyid Jafer Hosain:** (a) Has the attention of Government been drawn to the fact that there is a canal bed some eighteen miles in length in a very good state of preservation in the district of Moradabad? Is the Government further aware that this canal was dug some sixty years ago?

(b) Is the Government further aware that if this canal is extended another 8 or 9 mile, and joined to the river *Sot* then it will be capable of irrigating some 4 or 5 lakhs of *highers* in the parganas of Sambhal and Auraha?

(c) Will the Government consider the feasibility of starting this project at an early date?

**The Hon'ble Sir Sam O'Donnell :** (a) Government are aware that some eighteen miles of the proposed Eastern Ganges canal were dug as a famine relief work in the Sambhal pargana of the Moradabad district during the famine of 1869.

(b) and (c) The honourable member is referred to the answer given to question No. 37 at the Council meeting of March 14, 1927.

#### REMISSION OF SENTENCE TO PRISONERS CONVICTED IN COMMUNAL RIOT, SAMBHAL.

**\*39. Khan Bahadur Saiyid Jafer Hosain :** (a) Is it a fact that the Governor in Council granted remission of sentences of numerous persons who were convicted and sentenced to various terms of imprisonment in communal riots in the year 1924 in these provinces?

(b) Is the Government aware that some persons were sentenced to various terms of imprisonment in the Sambhal communal riot case on December 15, 1924?

(c) Do Government intend to recommend to His Excellency for the remission of the un-served portion of their terms of imprisonment?

**The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan :** (a) Remissions of varying periods were granted to prisoners convicted in connexion with offences at the Bagehwar fair in January, 1924 and communal riot cases of an earlier date.

(b) Yes.

(c) The Government have considered the cases of these prisoners. As their cases will come before the revision boards in a few months' time, Government have decided to take no action pending receipt of the recommendations of the boards.

**\*40. Khan Bahadur Saiyid Jafer Hosain :** [*Postponed at the request of Government till the first day of the next session*]

#### CIVIL COURT BUILDINGS, MORADABAD.

**\*41. Khan Bahadur Saiyid Jafer Hosain :** (a) Is the Government aware that the civil court buildings at Moradabad are insufficient to accommodate the officers and their respective staff?

(b) Is the Government aware that in reply to my question in 1923 the Government stated that the building will shortly be constructed?

(c) Will the Government be pleased to state definitely when they are going to order its construction?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Yes.

(b) No. The honourable member is referred to the answer given to starred question No. 36 of November 1, 1922.

(c) Government are unable to make any definite statement. It depends on when funds are provided.

*Copy of starred question No. 86 of November 1, 1922, asked by Mr. JAFER HOSAIN, and the answer given thereto.*

QUESTION.

\* (a) Has the Government considered the proposals for the construction of new civil court buildings at Moradabad?

(b) If so, when is the construction to begin?

ANSWER.

\* (a) Yes.

(b) When funds are available.

MUHARRAM IN MORADABAD.

\*42. **Khan Bahadur Saiyid Jafer Hosain :** (a) Is the Government aware that for the last two years there has been no *Muharram* in Moradabad city owing to official restrictions?

(b) Is the Government further aware that this fact has given rise to grave discontent among the Muhammadans of the city who feel that their religious liberty has been curtailed?

(c) Have Government any objection to ask the district magistrate of Moradabad to go into this matter thoroughly and remove the just and legitimate grievances of the Muhammadans before the ensuing *Muharram*?

**The Hon'ble Sir Sam O'Donnell :** (a) Yes. The restrictions, however, were imposed in 1877.

(b) Discontent has been expressed. It is a fact, however, that no new restrictions have been added to those in force year by year since 1877.

(c) The Government are willing to ask the district magistrate to report if any modifications in these old restrictions are possible.

**Khan Bahadur Mr. Masud-ul-Hasan :** Will the Government be pleased to state if the Muhammadans of Moradabad submitted a memorial to the Government on the subject?

**The Hon'ble Sir Sam O'Donnell :** It may be so, but I cannot say anything definitely.

**Khan Bahadur Mr. Masud-ul-Hasan :** Will the Government be pleased to state whether there is any other place in the United Provinces where such restrictions are imposed in the case of *Muharram*?

**The Hon'ble Sir Sam O'Donnell :** I should certainly ask for notice.

SEED STORE AT SAMBHAL.

\*43. **Khan Bahadur Saiyid Jafer Hosain :** Is it a fact that pargana Sambhal in the district of Moradabad is noted for its wheat and cotton? Do Government intend to open a seed store in Sambhal?

**The Hon'ble Thakur Rajendra Singh :** Government are considering proposals for opening a seed store at Sambhal.

EXTENSION OF HONORARY MUNSIFS ACT TO MORADABAD DISTRICT.

\*44. **Khan Bahadur Saiyid Jafer Hosain :** Is the Government aware that there are no honorary munsifs in the district of Moradabad? Will the Government consider the advisability of extending the provisions of the United Provinces Honorary Munsifs Act in this district?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Yes.

(b) The United Provinces Honorary Munsifs Act is in force throughout the whole of province.

#### SHIA COLLEGE, LUCKNOW.

\*45. **Khan Bahadur Saiyid Jafer Hosain :** (a) Is the Government aware of the grave discontent of the Shia public regarding the affairs of the Shia College at Lucknow?

(b) Has the Government seen the resolutions of the All India Shia League passed at its Amroha and Patna sessions in 1926?

(c) Is it a fact that the honorary secretary and joint secretary of the Shia College have sent to Government for its approval an altogether new constitution of the said college?

**The Hon'ble Rai Rajeshwar Bali :** Amendments to the rules governing the constitution of the Shia College and connected institutions were submitted to His Excellency the Patron of the college. Resolutions in regard to these proposals were also submitted to His Excellency. The amendments have been returned to the board of trustees for reconsideration.

#### FIRE-ARMS LICENCES IN ALLAHABAD CITY.

\*46. **Pandit Rahas Bihari Tiwari :** Is the Government aware (a) that Pandit Krishna Kant Malaviya, ex-M.L.A. and editor of the daily *Abhyudaya*, Allahabad, applied to the district magistrate of Allahabad in the month of February, 1927 for a licence for a pistol and a stick-gun, and (b) that the district magistrate refused his application on the ground that it was not his policy to grant licences to communal leaders? If the answer be in the affirmative, then will the Government be pleased to state whether they approve of the action taken by the district magistrate in this matter?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (1) Pandit Krishna Kant Malaviya applied to the district magistrate in January, 1927 for a licence for a stick gun and a pistol on the ground that he was living in the village of Jasra and was afraid of dacoits. The district magistrate replied that he had for a long time past refused to grant new licences for arms to residents of Allahabad city owing to the ill-feeling between Hindus and Muslims and that he obviously could not break this rule in favour of a communal leader. He added that as Pandit Krishna Kant was alarmed about dacoits, he would give him a licence for a stick-gun on condition that he promised not to bring it into Allahabad city. Pandit Krishna Kant did not reply to this letter.

(2) *Prima facie*, the Government see no reason to suppose that the discretion vested by rule in the district magistrate was unreasonably exercised. In any case an appeal lies to the Commissioner.

**Babu Sampurnanand :** What is the definition of a communal leader?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Any leader who may be regarded as a communal leader for the time being may be a communal leader.



**Pandit Bhagwat Narayan Bhargava :** Are there any other communal leaders in Allahabad except Pandit Krishna Kant Malaviya ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I am not aware ; there may be many.

**Pandit Bhagwat Narayan Bhargava :** Have the Government decided that none of the communal leaders should be given a licence in Allahabad ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The question of Government's decision does not arise. This is the Collector's policy and Government has got nothing to do with this decision.

**Pandit Bhagwat Narayan Bhargava :** Have the Government inquired from the district magistrate if he has withheld licences from all communal leaders ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** If there is a fear of disturbance, certainly Government will agree that no licences should be given in a locality where there is such fear of disturbance.

**Babu Sampurnanand :** Is it the policy of the Government not to give licences to those persons who are members of the Hindu Sabha, Muslim League or the Khilafat Conference ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Mr. A. P. Dube :** Has the communal leadership got anything to do with the merits of the question ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The real reply is this that as there were bad feelings, the Collector thought that certain men should not be given licences, and as Pandit Krishna Kant Malaviya was a communal leader the Collector refused to grant him a licence.

**Lieut. Raja Durga Narayan Singh :** Have the Government inquired from the district magistrate if Pandit Krishna Kant Malaviya is the only communal leader in the district ?

No reply.

**Babu Ganga Prasad Roy :** Will the Hon'ble the Home Member be pleased to state the number of such licences which have been refused ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** If the honourable member will wait he will learn just now in reply to another question as to how many such licences were issued.

**Babu Ganga Prasad Roy :** Were those licences applied for by communal leaders ?

No reply.

**Rai Bahadur Babu Vikramajit Singh :** Has the Government a list of communal leaders of all the districts ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I made it clear by saying that the refusal was due to the fact that feelings were very bad there. It was not due to the fact that if there is a communal leader or the leader of a community therefore he should not get a licence. That is not the question. The question is that where feelings are bad there licences should not be issued.

**Babu Sampurnanand :** Was Pandit Krishna Kant Malaviya ever implicated in a communal riot ?

**The Hon'ble the President :** That question does not arise.

**Babu Ganga Prasad Ray :** Is there anybody who decides whether certain people are communal leaders ?

**Mr. C. Y. Chintamani :** Is the possession of arms by the so-called communal leaders the reason for communal disturbances at Allahabad ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Mr. A. P. Dube :** Is it not a fact that the part taken by the local aristocracy has a good deal to do with communal riots ?

**The Hon'ble the President :** That does not arise out of the question before us.

**Pandit Venkatesh Na ayan Tiwari :** Is it a fact that licences were issued to Pandit Krishna Kant Malaviya and another in spite of communal riots ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** That may be so—I do not know.

**Pandit Brijnandan Prasad Misra :** Were any new licences issued after the riots in Allahabad ?

**The Hon'ble the President :** That is a separate question altogether.

**Rai Bahadur Babu Vikramajit Singh :** How many licences were refused on the basis of applicants being communal leaders last year ?

No answer.

**\*47. Pandit Rahas Bihari Tiwari :** Is it the policy of the Government that licences for fire-arms should not be given to those who in the opinion of the local officials are communal leaders ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The policy of the Government in regard to licences for fire arms is contained in the Arms Act and the Rules. The Government do not propose to pronounce on hypothetical general cases.

**\*48. Pandit Rahas Bihari Tiwari :** Will the Government be pleased to give the names of those in the Allahabad city to whom licences for fire-arms have been issued since January, 1926 ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Munshi Razi-ud-din, vakil, and Babu Jagannath Prasad Agarwala, Pay and Accounts Officer.

**\*49. Pandit Rahas Bihari Tiwari :** [*Postponed at the request of Government till the first day of the next session.*]

**NAWABZADA EJAZ ALI KHAN, SPECIAL MAGISTRATE, MUZAFFARNAGAR**

**\*50. Sri Ganesh Shankar Vidyarthi :** Will the Government be pleased to state—

(a) since what time Nawabzada Ejaz Ali Khan of Muzaffarnagar has been special magistrate of that place ;

(b) how many cases were disposed of by him during this time up to February 15 last ;

- (c) in how many of these cases Saiyid Jafar Husain, mukhtar of Muzaffarnagar, was engaged by either of the parties ;
- (d) how many of such cases, in which the said Saiyid Jafar Husain appeared before Nawabzada Ejaz Ali Khan, were decided in favour of Saiyid Jafar Husain's clients up to February 15 last ;
- (e) whether it is a fact that the said Saiyid Jafar Husain acted as election agent of Nawabzada Ejaz Ali Khan during the last election ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** (a) Since June 29, 1926,

(b) Sixty-eight cases.

(c) Seven cases.

(d) One case. There was also one case dismissed in default in which Saiyid Jafar Husain appeared for the accused persons

(e) No.

#### COMMERCIAL DIPLOMA HOLDERS.

**\*51. Sri Ganesh Shankar Vidyarthi :** (a) Will the Government be pleased to state whether the commercial diploma holders as mentioned on page 26, Chapter XIII, paragraph I (i) of the Allahabad University Prospectus for 1928 and Ordinance I (ii) of the Allahabad University Calendar, 1925, are recognized as equally qualified for the Government service as those who have passed their Intermediate examination ?

(b) Is it a fact that the Board of Intermediate Education and Lucknow University treat the commercial diploma holders equal to those who have passed the Intermediate examination ?

**The Hon'ble Sir Sam O'Donnell :** (a) The passing of the High School examination is a necessary preliminary to the obtaining of the commercial diploma and therefore holders of this diploma are qualified under paragraph 332 of the Manual of Government Orders for appointment to posts carrying a salary of Rs. 25 or upwards in English offices. Those who have passed the Intermediate examination are also qualified for such appointment.

**The Hon'ble Rai Rajeshwar Bali :** (b) The Board of High School and Intermediate Education has not considered the question of the equivalence of its commercial diploma with its certificate of passing the Intermediate examination. The Lucknow University recognizes the commercial diploma of the Board as equivalent to the Intermediate examination of an Indian university for the purpose of admission to the courses for the degree of Bachelor of Commerce.

#### BAR ON CERTAIN CLASSES FOR ADMISSION INTO POLICE SERVICE.

**\*52. Chaudhri Mangat Singh :** (a) With reference to the speech of the Hon'ble the Home Member in the Legislative Council on March 14, 1927, that the bar that existed previously on certain classes for admission into the Police service has now been removed, will the Government be pleased to say how many persons have actually been recruited from such classes since then ?

(b) Have the Government now an intention to give preference to the qualified and suitable candidates of such classes over the candidates of other classes?

**The Hon'ble Lieut Nawab Muhammad Ahmad Sa'id Khan:** (a) The orders regarding the removal of the bar referred to have been embodied in the new Police Regulations which are about to be issued. These orders will take effect when the new regulations are received in districts.

(b) No.

**\*53. Chaudhri Mangat Singh:** [*Postponed at the request of Government till the first day of the next session.*]

#### LATRINES IN THIRD CLASS COMPARTMENTS.

**\*54. Chaudhri Mangat Singh:** Is the Government aware that there are no latrines in most of the third class compartments over the Shahdara-Sabaranpur Railway? Will the Government be pleased to say if they intend to require the railway authorities to provide latrines in all the third class compartments immediately?

**The Hon'ble Sir Sam O'Donnell:** (a) Yes.

(b) No, because the railway is less than one hundred miles in length and is, therefore, not required to provide latrines in third class carriages. Latrines are, however, provided in all compartments for females.

#### ABOLITION OF ZAMANIA TAHSIL, GHAZIPUR, AND AMALGAMATION OF PARGANA MAHAICH WITH BENARES DISTRICT.

**\*55. Thakur Shiva Shankar Singh:** (1) Has any inquiry been made about the grievances of the people of district Ghazipur and of pargana Mahaich by the abolition of Zamania tahsil and by the amalgamation of pargana Mahaich with Benares district?

(2) Will the Government be pleased to lay the inquiry report, if any, before the Council?

(3) Will the Government be pleased to state the amount of savings made by the above changes?

**The Hon'ble Sir Sam O'Donnell:** (1) and (2) The local officers have been examining the question during their cold weather tours. They have not yet reported.

(3) Rupees 8,000 per annum.

**Thakur Shiva Shankar Singh:** Will Government please give details of this expenditure of Rs. 8,000?

**The Hon'ble Sir Sam O'Donnell:** I must ask for notice of that.

#### CHIEF INSPECTOR OF FACTORIES AND BOILERS, UNITED PROVINCES.

**\*56. Pandit Govind Ballabh Pant:** (1) What is the age of the Chief Inspector of Factories and Boilers, United Provinces?

(2) Is it a fact that the post of Chief Inspector is to fall vacant in April, 1927?

(3) What is the fixed pay of the post?

(4) What are the academic qualifications of the boiler inspectors and additional inspectors of factories in service?

(5) Has the Board of Examining (Mechanical) Engineers, Cawnpore, been abolished?

(6) Are boilers attached to the Government technical schools at Jhansi, Lucknow and Gorakhpur and are the members of the staff in charge of boilers in the said institutions eligible for the post of boiler inspectors?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** (1) Fifty-six.

(2) No; Government have extended his service up to January, 1928.

(3) Rupees 1,000—50—1,400.

(4) A list of their qualifications is laid on the honourable member's table.

(5) Yes.

(6) There are boilers in the Lucknow and Gorakhpur technical schools. Any person is eligible who holds a first class Board of Trade certificate or first class certificate of Engineering in India plus in either case ten years' experience in the management, repairs or inspection of boilers. So far as Government are aware no members of the staff in charge of boilers hold the required certificates.

(See Appendix A, page 1232.)

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I must add that since this reply was printed we have received an application for leave which is under consideration.

**Pandit Govind Ballabh Pant:** Is the application for leave preparatory to retirement?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I do not know. He has asked for leave. The application was received only yesterday or the day before.

**Pandit Govind Ballabh Pant:** When was this extension granted?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Last year, I believe.

**Pandit Govind Ballabh Pant:** Had he received any extension previously?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I do not know.

**Pandit Govind Ballabh Pant:** For what period has he applied for leave?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Eight months, I think—I am not sure.

**Pandit Govind Ballabh Pant:** Are the members of the staff of the Lucknow and Gorakhpur technical schools eligible for this post?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The qualifications are stated. If they have the necessary qualifications they are eligible, otherwise not.

**Pandit Govind Ballabh Pant:** When were the qualifications prescribed?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I do not remember the date—it was some years ago.

**Pandit Govind Ballabh Pant:** Is it a fact that qualifications are prescribed from time to time and have varied according to the candidates Government wanted?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I do not know.

**Pandit Govind Ballabh Pant:** Will the Government look into this question?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I will look into the question.

#### QUALIFICATIONS FOR THE POST OF THE EXPERT HEAD OF THE SUGAR CHEMISTRY DEPARTMENT.

\*57. **Pandit Govind Ballabh Pant:** What qualifications have been prescribed for the post of the expert head of the Sugar Chemistry department of the Technological Institute?

**The Hon'ble Thakur Rajendra Singh:** A thorough theoretical and practical knowledge of the manufacture of sugar and cane sugar refining. Candidates must hold the diploma of the Royal Technical College, Glasgow, and preference will be given to candidates with factory experience of cane crushing.

**Pandit Govind Ballabh Pant:** When was this condition laid down that the candidates should hold the diploma of the Royal Technical College, Glasgow?

**The Hon'ble Thakur Rajendra Singh:** About thirteen applications have been received and out of them ten were considered.

**Pandit Govind Ballabh Pant:** My question was who prescribed this qualification, when was it prescribed, was there any committee or any expert body?

**The Hon'ble Thakur Rajendra Singh:** I will inquire into the matter.

**Pandit Govind Ballabh Pant:** Are there other institutions besides the Royal Technical College, Glasgow, where efficient teaching in sugar engineering is given?

**The Hon'ble Thakur Rajendra Singh:** I think there are.

**Pandit Govind Ballabh Pant:** Why should the Government confine their choice to those who hold the diploma of the Royal Technical College, Glasgow?

**The Hon'ble Thakur Rajendra Singh:** Because it is considered that sugar engineering is specialized there.

**Pandit Govind Ballabh Pant:** Can Government mention other institutions where training in sugar engineering is given?

**The Hon'ble the President:** That will require notice.

**Pandit Govind Ballabh Pant :** What are the reasons for holding that this is the institution where best training is given in sugar engineering? Has Government made any comparison with other institutions?

**The Hon'ble Thakur Rajendra Singh :** No, we were advised that Glasgow training is the best.

GRADUATES IN MECHANICAL ENGINEERING EMPLOYED IN INDUSTRIES DEPARTMENT.

\*58. **Pandit Govind Ballabh Pant :** How many graduates in mechanical engineering of the Benares Hindu University are employed in the Industries department? Were such graduate candidates for vacancies in technical schools and was preference given to non-graduates?

**The Hon'ble Thakur Rajendra Singh :** None ; graduates applied for vacancies on three occasions. The posts were given to the candidates with the best theoretical and practical qualifications.

**Pandit Govind Ballabh Pant :** What are the theoretical qualifications of the candidates to whom preference was given as against those graduates? Were they graduates themselves?

**The Hon'ble Thakur Rajendra Singh :** Two of them are graduates.

**Pandit Govind Ballabh Pant :** Two of those who were appointed in preference to the graduates of mechanical engineering of the Benares University?

**The Hon'ble Thakur Rajendra Singh :** Yes, I think so.

**Pandit Govind Ballabh Pant :** May I know from which university?

**The Hon'ble Thakur Rajendra Singh :** For this information I require notice.

**Pandit Govind Ballabh Pant :** May I know their names?

No answer was given.

**Pandit Govind Ballabh Pant :** Is it a fact that the Selection Committee at least in one case recommended a graduate of the Mechanical Engineering College at Benares, but preference was given to a man who had no academical qualifications?

**The Hon'ble Thakur Rajendra Singh :** I am not aware.

**Pandit Govind Ballabh Pant :** Will the Hon'ble Minister kindly look into the matter?

**The Hon'ble Thakur Rajendra Singh :** Yes.

**Pandit Govind Ballabh Pant :** Will the Hon'ble Minister see to it that in future preference is given to graduates of the Benares Hindu University?

**The Hon'ble Thakur Rajendra Singh :** I cannot say, but I will look into the matter.

**Pandit Govind Ballabh Pant :** Is there a rule that so far as possible appointments should be given to those who hold academical qualifications along with practical training?

**The Hon'ble Thakur Rajendra Singh :** Yes, we give the best possible consideration to the applications.

**Pandit Govind Ballabh Pant :** Is it a fact that most of the members of the staff have no academic qualifications? They have not passed even the School-Leaving Certificate Examination.

**The Hon'ble Thakur Rajendra Singh :** I am not aware.

SELECTION BOARD IN INDUSTRIES DEPARTMENT.

\*59. **Pandit Govind Ballabh Pant :** Is the Selection Committee formed every time there is a vacancy under the Industries department? How many such committees were appointed during the last three years and who were their members?

**The Hon'ble Thakur Rajendra Singh :** *Ad hoc* committees have hitherto been appointed for selecting candidates for posts carrying a salary of Rs. 200 and over. As regards the second part of the question, nine such committees were appointed. A statement showing the constitution of seven such committees is laid on the honourable member's table. As soon as information has been collected as regards the constitution of the remaining two committees, it will be laid on the honourable member's table.

(See Appendix B, page 1282.)

**Pandit Govind Ballabh Pant :** Who constitutes these *ad hoc* committees? Is it the Minister in charge or all the Ministers jointly?

**The Hon'ble Thakur Rajendra Singh :** The Minister in charge.

**Pandit Govind Ballabh Pant :** What is the reason for appointing *ad hoc* committees and not standing committees for dealing with these cases?

**The Hon'ble Thakur Rajendra Singh :** They are of specialist character and therefore *ad hoc* committees have been appointed.

**Pandit Govind Ballabh Pant :** How many members of these committees were specialists in the departments in which appointments have been made?

**The Hon'ble Thakur Rajendra Singh :** Honourable member will find this from the statement laid on his table.

**Pandit Govind Ballabh Pant :** Can the Hon'ble Minister point out the name of a single member in the list who is a specialist?

No answer.

**Pandit Govind Ballabh Pant :** Will the Hon'ble Minister consider the advisability of appointing a standing committee instead of constituting *ad hoc* committees each time?

**The Hon'ble Thakur Rajendra Singh :** The Government will consider the suggestion.

HEAD OF THE DEPARTMENT OF APPLIED CHEMISTRY IN THE  
TECHNOLOGICAL INSTITUTE, CAWNPORE.

\*60. **Pandit Govind Ballabh Pant :** (1) Who is the present head of the Department of Applied Chemistry in the Technological Institute, Cawnpore?

(2) What is his age?

(3) When was he appointed?



(4) What is the sanctioned starting pay of the post and what pay is the present incumbent receiving?

(5) For what period was the appointment of the occupant made?

(6) When does that period expire?

(7) Is it a fact that his special line is biochemistry and activated sludge which mainly concern agricultural chemistry?

**The Hon'ble Thakur Rajendra Singh:** (1) Dr. G. J. Fowler, D.Sc.

(2) Fifty-seven.

(3) July 22, 1926.

(4) The pay of the post is Rs. 600—40—1,000—50—1,250. Dr. Fowler is receiving Rs. 1,000.

(5) and (6) He was appointed for about ten months, viz., until May 14, 1927.

(7) No; he has taken an active interest in many other subjects. He was in charge of the Government of India acetone factory at Nasik during the war and has done research work and published his results on lac, alcohol, glue, coir, turpentine and other industries.

**Pandit Govind Ballabh Pant:** Has the Hon'ble Minister seen Dr. Fowler?

**The Hon'ble the President:** Is this question of public importance?

**Pandit Govind Ballabh Pant:** Will the Government kindly state whether the appointment of Dr. Fowler was made after he had seen him. or whether it was made only on the basis of his age?

No reply.

**Pandit Govind Ballabh Pant:** Why did the Government select such a young man for appointment?

**The Hon'ble the President:** This is an ironical question.

**Pandit Govind Ballabh Pant:** I beg your pardon, Sir; I meant an old man.

**Pandit Govind Ballabh Pant:** Is there a gentleman in the staff of this institute, who is a Doctor of Science of the Allahabad University in Physical Chemistry, an Associate of the Institute of Chemistry, a D. Sc. of London, and one who has worked in a number of factories and holds European qualifications?

**The Hon'ble the President:** The Hon'ble Minister ought to be grateful for this information given.

**Mr. C. Y. Chintamani:** Is it the Government's intention to re-appointment Dr. Fowler for a further term?

**The Hon'ble Thakur Rajendra Singh:** At present they have no such intention.

**Pandit Govind Ballabh Pant:** Is it the intention of the Government to consider the claims of the present incumbents in the institute before they extend the term of Dr. Fowler's present appointment?

**The Hon'ble Thakur Rajendra Singh:** The Government will consider the question.

## REGISTRAR, CO-OPERATIVE SOCIETIES.

\*61. **Rai Bahadur Lala Mathura Prasad Mehrotra** : With reference to reply to question No. 2 of March 15, 1927, will the Hon'ble Minister be pleased to inform the Council on the following points :—

- (a) Was the Registrar of the Co-operative Societies given an opportunity "to read books on co-operation for a month at least and then a training in the Punjab followed by the visit to Bombay, Madras and other provinces to provide sufficient preliminary training?"
- (b) Has the Government considered the importance of the post in the light of the last sentence of paragraph 95 of the Oakden Committee's report, that is "we do not think that it is sufficiently realized that co-operation is a technical subject and that a man cannot guide its destinies without previous training?"

**The Hon'ble Thakur Rajendra Singh** : (a) The reply to the first part of the question is in the affirmative. Government consider it desirable that his visit to the Punjab and other provinces should follow and not precede a thorough study of the conditions prevailing in this province.

(b) Yes.

**Rai Bahadur Lala Mathura Prasad Mehrotra** : Am I to understand that the recommendations of the Oakden Committee were in this respect only partially carried out by the Government?

**The Hon'ble the President** : This is a matter of opinion.

**Rai Bahadur Lala Mathura Prasad Mehrotra** : Will the Government kindly state why the recommendations of the Oakden Committee were not followed completely in this respect?

**The Hon'ble Thakur Rajendra Singh** : As I have already stated, the Government consider it desirable that the visit of the Registrar to the Punjab and other provinces should follow and not precede a thorough study of the conditions prevailing in this province.

## UNIVERSITIES OF ALLAHABAD AND LUCKNOW?

\*62. **Pandit Venkatesh Narayan Tiwari** : Will the Government be pleased to state the number of actual teaching days for the last three years in the Universities of Allahabad and Lucknow?

**The Hon'ble Rai Rajeshwar Bali** : The figures for the Allahabad University are :—

1923-24	...	...	...	...	166
1924-25	...	...	...	...	158
1925-26	...	...	...	...	156

As regards the Lucknow University, teaching work is done on all days of the year except Sundays and the holidays mentioned in Chapter XXX, page 143 of the Lucknow University Calendar for 1926-27.

\*63. **Pandit Venkatesh Narayan Tiwari** : (a) Will the Government be pleased to state if any record is kept in the Universities of Allahabad and Lucknow of the period of absence of their teachers when they are

engaged in attending the meetings of an educational congress, conference, committee, Legislative Council or committee, examination work, etc.?

(b) Will the Government be pleased to give a list of teachers whose absence on such duty exceeds seven days in the session 1925-26 with the number of days of absence in each case?

(c) What is the maximum period allowed per year, if any, by the Universities of Allahabad and Lucknow for their teachers for such work?

**The Hon'ble Rai Rajeshwar Bali :** (a) Allahabad University, yes; Lucknow University, no.

(b) The only teacher of the Allahabad University whose absence exceeded seven days in 1925-26 is Dr. Shafa'at Ahmad Khan, who was allowed as a special case to be absent up to a maximum of thirty-five days in the year and ten days in a month. His absence while attending meetings of the Legislative Council was regarded as leave under the leave rules.

No record has been kept in the Lucknow University.

(c) Fifteen days in the case of the Allahabad University. No maximum has been laid down by the Lucknow University.

#### PROGRAMME OF THE EXAMINATIONS OF THE BOARD OF HIGH SCHOOL AND INTERMEDIATE EDUCATION.

\*64. **Thakur Manjit Singh Rathor :** Will the Hon'ble the Minister for Education kindly state if it is a fact that the annual examinations of the Board of High School and Intermediate Education will be held on the principal fair day, i.e., April 13, and days before and after this?

**The Hon'ble Rai Rajeshwar Bali :** The Board's examination of 1927 will be held on Wednesday, April 6, and following days, with the exception of Sunday, April 10 and 17, and Friday, April 15.

\*65. **Thakur Manjit Singh Rathor :** In case the answer is in the affirmative, does the Hon'ble Minister intend to issue instructions to the board to gazette April 12, 13 and 14 as holidays on account of the *Kumbh* fair and postpone the examinations to subsequent dates?

**The Hon'ble Rai Rajeshwar Bali :** It is too late to alter the programme of examinations.

\*66. **Thakur Manjit Singh Rathor :** What are the dates on which these examinations were usually held every year?

**The Hon'ble Rai Rajeshwar Bali :** In 1924, the first year in which the Board held its examinations, the examinations were held on March 24 and following days; in 1925, on March 13 and following days; in 1926, on March 2 and following days.

\*67. **Rai Sahib Lala Jagdish Prasad :** [*Postponed at the request of Government till the first day of the next session.*]

#### GRANT TO CERTAIN MUNICIPALITIES FOR FEMALE EDUCATION.

\*68. **Maulvi Zahur-ud-din :** Is the Government paying any grant-in-aid to the municipal board of Bareilly for female education?

**The Hon'ble Rai Rajeshwar Bali :** No.

\*69. **Maulvi Zahur ud-din :** Has the Government received any applications for such grant during the past five years?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

\*70. **Maulvi Zahur ud-din :** Was any such request disallowed, and for what reasons?

**The Hon'ble Rai Rajeshwar Bali :** Yes. Funds for the purpose were not available.

\*71. **Maulvi Zahur ud-din :** Is the Government paying any such grant to the municipal boards of Moradabad and Shahjahanpur?

**The Hon'ble Rai Rajeshwar Bali :** No.

#### GENERAL STAMPS AT BAREILLY TREASURY.

\*72. **Maulvi Zahur ud-din :** (1) Is it a fact that general stamps of smaller value—four annas, eight annas, etc.—are not in stock at the Bareilly Treasury?

(2) If so, what is the reason?

**The Hon'ble Sir Sam O'Donnell :** On September 6, 1926, the Collector sent an indent for stamps of various denominations, including 20,000 sheets of four-anna stamps, to the Central Stamps and Stationery office at Calcutta. That office was unable to supply the four-anna stamps as none were available. The result was an abnormal demand for two-anna stamps, which, in consequence, also ran short. When the Collector sent his next indent in December the office mentioned took three months to comply with it, with the result that eight-anna stamps also failed. In brief four-anna stamps were out of stock from September, 1926, two-anna stamps from December 1, 1926, and eight-anna stamps from February 2, 1927 in every case up to March 4, 1927. Since March 5, 1927, there has been an ample supply of all three denominations.

\* 73 to 79 **Maulvi Zahur ud-din :** [*Postponed at the request of Government till the first day of the next session.*]

#### COMMISSION TO INQUIRE INTO THE OFFICIAL INTERFERENCES IN ELECTIONS OF CERTAIN DISTRICTS.

\* 80. **Sri Ganesh Shankar Vidyarthi :** Is the Government aware that in the last year's Council a Commission was promised by the Home Member to inquire into the official interferences in elections in the districts of Jhansi, Mainpuri and Partabgarh?

**The Hon'ble Nawab Muhammad Yusuf :** The Hon'ble Minister for Local Self-Government only promised an inquiry into the alleged cases of interference in Jhansi, Hamirpur and Banda.

\* 81. **Sri Ganesh Shankar Vidyarthi :** Will the Government be pleased to state if the said Commission has completed the inquiries?

**The Hon'ble Nawab Muhammad Yusuf :** The inquiry has been made.

\* 82. **Sri Ganesh Shankar Vidyarthi :** If the answer to the above is in the affirmative, will the Government be pleased to lay on the table the full report of the Commission?

**The Hon'ble Nawab Muhammad Yusuf :** The report was laid on the table on March 24, 1927.

\* 83 to \* 88. **Mr. H. C. Desanges** : [*Postponed at the request of Government till the first day of the next session.*]

**HEADS OF DEPARTMENTS AND THEIR CONFERENCE WITH COMMISSIONERS AND COLLECTORS DURING INSPECTIONS.**

\* 89. **Mr. C. Y. Chintamani** : (a) Are heads of departments, when visiting districts, required to confer with commissioners and collectors on the subjects connected with their departmental inspections?

(b) Was the order made by the Governor in Council?

(c) Were the Hon'ble Ministers parties to the order?

(d) Does it relate to heads of departments of Transferred subjects?

**The Hon'ble Sir Sam O'Donnell** : (a) The orders were passed in 1900, and are reproduced at paragraph 534 of the Manual of Government Orders.

(b) and (c) Do not arise in view of the date of the order.

(d) Yes.

**Mr. C. Y. Chintamani** : Does the order deal separately with deputy inspectors-general of police as distinct from other heads of departments?

**The Hon'ble Sir Sam O'Donnell** : I think there is reference to the deputy inspector-general of police in the order, but I have not got a copy of it here.

**Mr. C. Y. Chintamani** : Does the order state that the deputy inspectors-general of police should invariably confer with the district magistrates and commissioners?

**The Hon'ble Sir Sam O'Donnell** : I think so.

**Mr. C. Y. Chintamani** : Is the Hon'ble the Finance Member aware whether that order is complied with?

**The Hon'ble Sir Sam O'Donnell** : I have no reason to suppose that it is not complied with.

**RECRUITMENT OF THE CLERICAL STAFF OF THE CIVIL AND THE PUBLIC WORKS DEPARTMENT SECRETARIAT.**

\* 90. **Mr. C. Y. Chintamani** : (a) During the last six years how many direct appointments per annum have on an average been made to the clerical staff of the Civil and the Public Works department Secretariat?

(b) By whom are they made in the branches dealing with Reserved and by whom in those dealing with Transferred subjects?

(c) Have the Government considered the question of recruitment by a staff selection board or by competitive examination?

**The Hon'ble Sir Sam O'Donnell** : (a) The average works out at ten in the Civil Secretariat, three in the Buildings and Roads branch, Public Works department, and two in the Irrigation branch. If the abnormal year 1921, in which there was a reorganization of staff consequent on the introduction of the reforms, be excluded, the average is five, and one and a half respectively. Clerks transferred from other offices are not included in this calculation.

(b) Appointments are made by the Chief Secretary in all branches of the Civil Secretariat except the Finance branch and the Education department, in which they are made by the Secretary concerned. In the Public Works department they are made by the Secretary concerned. No branch of the Civil Secretariat deals exclusively with Reserved or Transferred subjects.

(c) Yes. A competitive examination for recruitment to the superior service in the Civil Secretariat was held in 1923. In the same year a committee appointed *ad hoc* recommended that in future recruitment should be made from candidates who have passed the Staff Selection Board (Public Services Commission, Ministerial Selection Branch) examination. In the case of the subordinate service the same committee recommended that recruitment by examination was not practicable. The Government accepted these recommendations.

#### REPRESENTATIONS BY THE JUDICIAL SERVICE ASSOCIATION, UNITED PROVINCES.

\*91. **Mr. C. Y. Chintamani:** (a) How many representations have been addressed to the Governor in Council during the last seven years by the Judicial Service Association, United Provinces?

(b) When was the last of them addressed, and has it received consideration?

(c) Did the Governor in Council withhold a representation addressed to the Governor General in Council? On what grounds?

**The Hon'ble Sir Sam O'Donnell:** (a) Five.

(b) It was received on January 4, 1927. Orders were issued on February 11 and 12, 1927.

(c) Yes; because the Governor in Council was empowered to pass final orders.

\*92. **Mr. C. Y. Chintamani:** (a) Has the Governor in Council considered the latest representation of the United Provinces Judicial Service Association, dated December 1, 1926?

(b) What conclusions has he reached on each of the seven prayers with which the representation is concluded?

(c) If the answer to (a) be in the negative, when do the Governor in Council intend to dispose of the representation?

**The Hon'ble Sir Sam O'Donnell:** (a) Yes.

(b) Six requests were made, the seventh being "for early consideration." It was not found possible to grant any of the six requests.

(c) Does not arise.

\*93 and \*94. **Mr. C. Y. Chintamani:** [*Postponed at the request of Government till the first day of the next session.*]

#### BOARD OF COMMUNICATIONS.

\*95. **Mr. C. Y. Chintamani:** (a) Is the Board of Communications functioning? Who is the present chairman? When did it last meet?

(b) Have the Government placed any money at its disposal during the last five years?

(c) If "yes," how has it been expended? If "no," why not?

(d) What are the Government's intentions regarding the future of the Board?

**The Hon'ble Thakur Rajendra Singh:** (a) Yes. Mr. A. W. Pim, C.S.I., C.I.E., I.C.S., is chairman. The Board last met on October 5, 1926.

(b) Yes. In 1924-25 they allotted to the Board Rs. 80,000, which was one-third of the proceeds of the motor tax.

(c) The honourable member is referred to paragraph 9 of the minutes of the Board held on September 3, 1924, a copy of which was published in the *Government Gazette* of October 18, 1924.

(d) Government intend the Board to continue.

**Mr. C. Y. Chintamani:** Has any money been placed at the disposal of the Board since 1924-25?

**The Hon'ble Thakur Rajendra Singh:** No.

**Mr. C. Y. Chintamani:** What does the Board do in the absence of any money?

**The Hon'ble Thakur Rajendra Singh:** The board is an advisory one.

**Mr. C. Y. Chintamani:** Are matters placed before the Board by the Government for their advice?

**The Hon'ble Thakur Rajendra Singh:** Yes.

**Mr. C. Y. Chintamani:** Will the Hon'ble Minister be pleased to supply a statement showing on what matters the Board was asked to advise and did advise?

**The Hon'ble Thakur Rajendra Singh:** I ask for notice to supply this information.

\* 96. **Mr. C. Y. Chintamani:** [*Postponed at the request of Government till the first day of the next session.*]

#### VETERINARY COLLEGE.

\*97. **Mr. C. Y. Chintamani:** When did the proposal of a veterinary college first come before Government? When is the project likely to materialize?

**The Hon'ble Thakur Rajendra Singh:** The proposal to establish a veterinary college in these provinces took definite shape in 1919. The proposal has been held in abeyance because of the necessity of providing for more urgent needs.

**Mr. C. Y. Chintamani:** Is it the intention of the Government to hold it in abeyance for much longer?

**The Hon'ble Thakur Rajendra Singh:** At present I cannot say anything definitely.

#### REGISTRAR OF CO-OPERATIVE CREDIT SOCIETIES.

\*98. **Mr. C. Y. Chintamani:** (a) Will the Government give particulars of the previous training the present Registrar of Co-operative Societies had such as was stressed by the Oakden Committee?

(b) Do Government intend to postpone action on the committee's recommendations for increase of the number of deputy and assistant registrars until the Council has discussed them?

(c) Do Government intend to restrict the said appointments to the class of deputy collectors or to select the best qualified men wherever available?

**The Hon'ble Thakur Rajendra Singh :** (a) The Registrar has taken the course of reading advised by the committee. Government consider it advisable that his visit to the Punjab and other provinces should follow and not precede a thorough study of the conditions prevailing in this province.

(b) The reply is in the negative.

(c) The honourable member is referred to paragraph (b) of question No. 35 of March 14, 1927.

*Copy of paragraph (b) of starred question No. 35 asked on March 14, 1927, and the reply given therein.*

#### QUESTION.

\* (b) How many of these assistant registrars will be recruited—

- (i) from the cadre of deputy collectors;
- (ii) from among the junior assistant registrars;
- (iii) directly?

#### REPLY.

\* (b) No definite proportion has been fixed. Government will appoint the most competent men they can find whether it be by promotion of junior assistant registrars or otherwise.

#### TECHNICAL AND INDUSTRIAL EDUCATION.

\*99. **Mr. O. Y. Chintamani :** Have Government had under consideration the programme of expansion of technical and industrial education outlined by the late Governor in his address to the Board of Industries in June 1921? Will they state categorically whether any and which of the items has been rejected by them, and what progress has been made with each of the items which have met with their approval?

**The Hon'ble Thakur Rajendra Singh :** The reply to the first part of the question is in the affirmative.

The reply to the second part of the question is in the negative.

As regards the third part of the question, progress has been made with the Technological Institute; a textile school at Cawnpore has been opened; a building costing over a lakh of rupees has been constructed for the Carpentry School at Allahabad. As regards the progress made in the opening of other Government and aided technical schools since 1923 the honourable member is referred to the annual reports of the Director of Industries.

#### AHRAURA-SUKRIT ROAD IN MIRZAPUR.

\*100. **Pandit Shri Sadayatan Pande :** (a) Has the attention of the Government been drawn to the condition of the Ahraura-Sukrit road in Mirzapur? (b) Does the Government contemplate increasing its grant to the district board for "Civil works and roads."

**The Hon'ble Nawab Muhammad Yusuf :** (a) No, not since 1924.  
(b) No.

\*101. **Pandit Shri Sadayatan Pande :** [Postponed at the request of Government till the first day of the next session.]



SANSKRIT PATHSHALAS IN MIRZAPUR.

\*102. **Pandit Shri Sadayatan Pande:** How many Sanskrit *path-shalas* there are in the Mirzapur district, and how many of them are in receipt of a government grant?

**The Hon'ble Rai Rajeshwar Bali:** Fifteen; two.

\*103. **Pandit Shri Sadayatan Pande:** [*Postponed at the request of Government till the first day of the next session.*]

CULTIVATION OF DHAN IN NAGINA.

\*104. **Hafiz Muhammad Ibrahim:** (a) Will the Government be pleased to state when the cultivation of *dhan* in the villages surrounding the Nagina town was prohibited, and how long will the prohibition continue?

(b) Is there any intention on the part of the Government to withdraw this prohibition?

**The Hon'ble Rai Rajeshwar Bali:** (a) A municipal bye-law, dated July 6, 1915, prohibits the cultivation of *dhan* in municipal limits within half a mile of inhabited sites.

(b) No.

NOMINATION OF ASSISTANT EXECUTIVE ENGINEER, PUBLIC WORKS DEPARTMENT, TO CITY BOARD, NAINI TAL.

\*105. **Pandit Badri Dutt Pande:** (a) Is it a fact that the Assistant Executive Engineer, Public Works department, Naini Tal district, used to be a nominated member of the City Board, Naini Tal?

(b) What was the name of the last incumbent, and what is the name of the present incumbent?

(c) What are the reasons for not nominating the present Assistant Executive Engineer?

**The Hon'ble Nawab Muhammad Yusuf:** Information is not yet complete. An answer will be given at a later date.

SECRETARY, CITY BOARD, NAINI TAL.

\*106. **Pandit Badri Dutt Pande:** Is it a fact that the present secretary of the Naini Tal City Board is a pensioner of over 65 years of age?

**The Hon'ble Nawab Muhammad Yusuf:** The secretary is a pensioner, aged 62½ years.

**Pandit Badri Dutt Pande:** Is he not too old to work?

**The Hon'ble the President:** It is a matter of opinion.

HONORARY MAGISTRATES IN ALMORA.

\*107. **Pandit Badri Dutt Pande:** (a) What is the population of the town of Almora, excluding the cantonment?

(b) How many honorary magistrates are there in Almora?

(c) How many new honorary magistrates are recruited every year?

(d) What is the total number of cases tried by them for the last three years?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** The information has been called for, but has not yet been received.

## PAGESWAR IN ALMORA.

\*108. **Pandit Badri Dutt Pande:** (a) Is Pageswar in the Almora district a town area?

(b) If so, when was it made a town area and by whose orders?

(c) Is a fair fund levied at Pageswar?

(d) If so, under what law?

(e) Are accounts kept and audited?

(f) Are there any rules framed by the Government for the collection of taxes levied at Pageswar during the fair?

(g) How are the proceeds of these collections utilized?

(h) Has the district board of Almora any hand in the realization of these taxes?

**The Hon'ble Nawab Muhammad Yusuf:** (a) No.

(b) Does not arise.

(c) Yes.

(d) The fair fund has been levied each year from time immemorial.

(e) Accounts are kept but not audited. They are always verified and checked with the treasury accounts.

(f) No.

(g) Three-fourths of the proceeds is annually spent on the sanitation of the town, and one-fourth is spent on the arrangements made annually in connexion with the fair.

(h) No.

**Pandit Badri Dutt Pande:** As regards part (a) do Government intend to make it a town area?

**The Hon'ble the President:** That is a separate question altogether.

**Pandit Badri Dutt Pande:** As regards part (d) is there any legal sanction for realizing this tax?

**The Hon'ble Nawab Muhammad Yusuf:** This is a very old custom.

**Babu Bhagwati Sahai Bedar:** What about the legal sanction?

**The Hon'ble Nawab Muhammad Yusuf:** That is an old custom. That is all.

**Babu Bhagwati Sahai Bedar:** Is that custom a law?

**The Hon'ble the President:** This is a matter for opinion.

**Pandit Badri Dutt Pande:** With reference to (e) will the Government please consider the advisability of auditing these accounts?

**The Hon'ble Nawab Muhammad Yusuf:** I think that the present arrangement works all right. But if the honourable member is very keen about having the accounts audited I will consider the matter.

**Pandit Badri Dutt Pande:** With reference to (f) will the Government please make rules for the realization of this tax?

**The Hon'ble Nawab Muhammad Yusuf:** The honourable member is referred to clause (g) of the answer.

**Pandit Badri Dutt Pande:** Does the Government know, or will it care to know, that most of the money is spent on Bhutia dancing, fire-works, horse races, etc., and will it kindly send a C. I. D. officer to make inquiries?

No answer.

REPORT OF EXAMINER, LOCAL FUND ACCOUNTS.

**\*109. Dr. Shafa'at Ahmad Khan:** Will the Government be pleased to lay on the table a statement showing the steps they have taken with regard to the report of the Examiner, Local Fund Accounts, on the working of the Local Audit department in the United Provinces during the year 1924-25?

**The Hon'ble Sir Sam O'Donnell:** The action which the Government have taken on the report of the Examiner, Local Fund Accounts, for the year 1924-25 was indicated in Government resolution No. B-5919/X-80, dated December 15, 1925, which was published in the *United Provinces Gazette*. A note showing the action taken on the comments of the Examiner on the accounts of local bodies is placed on the table. Information regarding the action taken on the Examiner's comments with regard to other accounts has not yet been collected, but will be supplied later.

(See Appendix C, page 1234.)

**\*110. Dr. Shafa'at Ahmad Khan:** [Cf. No. \*-8 of March 22, 1927.]

**\*111. Dr. Shafa'at Ahmad Khan:** [Cf. No. 32 of March 22, 1927.]

BUNGALOW FOR THE SUPERINTENDENT OF POLICE AT  
MUZAFFARNAGAR.

**\*112. Nawabzada Muhammad Liaqat Ali Khan:** (a) Will the Government be pleased to state whether it is a fact that a bungalow was built for the Superintendent of Police of Muzaffarnagar a few years back?

(b) If so, at what cost?

(c) Did any superintendent of police ever occupy this bungalow?

(d) If not, for what reason?

(e) Has it been since sold, or is it proposed to sell it to some private person or persons?

(f) If so, at what price?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Information is being collected and a reply will be given at a later date.

ALLOTMENTS UNDER THE VILLAGE SANITATION ACT.

**\*113. Nawabzada Muhammad Liaqat Ali Khan:** (a) Will the Government be pleased to state the procedure for spending allotments under the Village Sanitation Act (II of 1892)?

(b) What are the reasons for not extending the provisions of this Act to the districts of Almora, Garhwal, Naini Tal, Moradabad and Unao?

(c) What steps are the Government taking to utilize large un-expended balances in the following districts :—

Pehra Dun (Rs. 4,577), Muzaffarnagar (Rs. 1,965), Bulandshahr (Rs. 1,315), Bijnor (Rs. 1,122), Jalaun (Rs. 1,495), Benares (Rs. 1,109) and Sitapur (Rs. 4,793) ?

**The Hon'ble Rai Rajeshwar Bali :** Information is not yet complete. An answer will be given at a later date

#### TEMPLE AT THE MASSACRE GHAT, CAWNPORE.

\*114. **Sri Ganesh Shankar Vidyarthi :** Have the Government any objection in handing over the temple at the Massacre Ghat, Cawnpore, to some accredited Hindu agency for worship and proper upkeep ?

**The Hon'ble Sir Sam O'Donnell :** The Massacre Ghat with the empty temple standing thereon has been in the possession of Government since 1857. The *ghat*, together with the cross thereon and the empty temple are maintained by the Public Works department, while the garden with the gate and approach road is maintained by the cantonment authority, the whole being situated within the cantonment area. The buildings are maintained as a monument of historical and sentimental interest and Government are not prepared to hand them over to any agency.

#### PRISONERS IN THE ANDAMANS.

\*115. **Sri Ganesh Shankar Vidyarthi :** Will the Government be pleased to state—

- (a) how many prisoners with sentences of transportation belonging to these provinces are in the Andamans at present ;
- (b) how many prisoners are there in the jails as well as in the Andamans belonging to these provinces at present who have finished the terms of their sentences, if all their ordinary and extraordinary and jubilee remissions are taken into account ;
- (c) how many prisoners are there in jails as well as in the Andamans belonging to these provinces, who, with their remissions of all sorts, have served more than what is their term of imprisonment ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The information has been called for but has not yet been received.

#### AVERAGE EXPENSES ON DIET AND CLOTHES OF INDIAN AND EUROPEAN PRISONERS.

\*116. **Sri Ganesh Shankar Vidyarthi :** (a) Will the Government be pleased to state what is the average monthly expenses on diet for a European prisoner ?

(b) What is the annual average expenses for clothes of a European prisoner ?

(c) What is the average monthly expenses on diet for an Indian prisoner ?

(d) What is the annual average expenses for clothes of an Indian prisoner ?

(e) What is the difference in the cost of the present diet of an Indian prisoner, consisting of wheat and *juar* bread, in comparison with that of former times, i.e., the cost of the diet consisting of wheat and gram?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** A statement is laid on the table.

(See Appendix D, page 1234.)

**Babu Sampurnanand :** Does the item of clothings include shoes ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I think so.

**Babu Sampurnanand :** Has the Government any intention of adding shoes " to the clothings of Indian prisoners ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The Government has not considered this question yet.

**Babu Sampurnanand :** Does the item under (x) include milk ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I think it includes everything.

**Babu Bhagwati Sahai Bedar :** Does the item under (c) include coal ?

**The Hon'ble the President :** We have had enough of coal in the budget debate.

#### TREATMENT OF PRISONERS ON JAIL HOLIDAYS.

\*117. **Sri Ganesh Shankar Vidyarthi :** Is it a practice that in certain central jails that on certain holidays the whole of the jail is locked in just after midday, and the prisoners who usually get two full diets twice a day are given on such occasions one and a half diet only for both the times collectively ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** There are only ten jail holidays (apart from Sundays) in the year. In five central jails the routine observed in regard to locking up has been the same on jail holidays as on other days. In the Naini Central Jail there was in force until recently a system by which on jail holidays other than Sundays locking up began at 12 noon and was completed by 2:30 p.m. As this system involved the loss to the prisoners on those days of the vegetable ration (three *chhittaks* out of a complete ration of sixteen *chhittaks* odd) it has been abolished.

#### VILLAGE PANCHAYATS.

\*118. **Sri Ganesh Shankar Vidyarthi :** (a) Will the Government be pleased to state how many village *panchayats* under the United Provinces Village Panchayats Act, 1920, are at present working in the province ?

(b) How many cases did they try in the year 1925-26 ?

(c) How many of them were criminal and how many civil ?

(d) How many of them were compromised ?

(e) How many *panchayats* have got their village funds ?

(f) What is the total amount of these village funds ?

**The Hon'ble Nawab Muhammad Yusuf :** Information is not yet complete. An answer will be given at a later date.

NUMBER OF STUDENTS IN THE THOMASON COLLEGE, ROORKEE.

\*119. **Nawabzada Muhammad Liaqat Ali Khan** : Will the Government be pleased to state the number of students in all classes at the Thomason Civil Engineering College, Roorkee, as follows:—

- (i) Hindus.
- (ii) Muslims.
- (iii) Sikhs, Christians, etc. ?

**The Hon'ble Rai Rajeshwar Bali** : The information is not yet available. A reply will be given at a later date.

MUNICIPAL CASES AND AMOUNT OF FINES IMPOSED IN CERTAIN MUNICIPALITIES.

\*120. **Haji Abdul Qayum** : Will the Government kindly state the number of municipal cases instituted in the year 1923, and the total amount of fines imposed in the municipalities of Agra, Allahabad, Benares, Lucknow and Cawnpore ?

**The Hon'ble Nawab Muhammad Yusuf** : Information is not yet complete. An answer will be given at a later date.

JOINT RESPONSIBILITY OF MINISTERS.

\*121. **Mr. C. Y. Chintamani** : Do the Hon'ble Ministers act with joint responsibility ? Do they hold office on that footing ?

**The Hon'ble Rai Rajeshwar Bali** : Ministers regard themselves as acting in the spirit of the joint parliamentary committee's recommendations. No statement can be made affecting the relations of the Governor and his Ministers.

**Pandit Iqbal Narayan Gurtu** : Sir, the last part of the question has not been answered.

**The Hon'ble Rai Rajeshwar Bali** : I think we have answered the last part.

**Pandit Iqbal Narayan Gurtu** : May I understand from this answer that the Ministers have taken up office on that understanding ?

**The Hon'ble Rai Rajeshwar Bali** : Which understanding ?

**Pandit Iqbal Narayan Gurtu** : That the Ministers have taken up office on the understanding that there will be joint responsibility observed ?

**The Hon'ble Rai Rajeshwar Bali** : I have said that, so far as we are concerned, we consider ourselves to be acting in the spirit of the joint parliamentary committee.

**Pandit Iqbal Narayan Gurtu** : Do the Ministers accept the principle of joint responsibility ?

**The Hon'ble Rai Rajeshwar Bali** : I have already said that.

**Raja Jagannath Bakhsh Singh** : What are the recommendations of the parliamentary committee to which the Hon'ble Minister referred ?

**The Hon'ble Rai Rajeshwar Bali** : That the Ministers should be considered as acting together.

**Pandit Iqbal Narayan Gurtu :** Do the Ministers consult each other on important matters connected with their respective departments?

**The Hon'ble Rai Rajeshwar Bali :** Yes.

**Pandit Iqbal Narayan Gurtu :** Is there any joint consultation when the budget is prepared?

**The Hon'ble Rai Rajeshwar Bali :** Yes; we do consult each other.

**Raja Jagannath Bakhsh Singh :** May I know the reasons for saying that no statement can be made affecting the relations of the Governor and his Ministers.

No answer.

**Pandit Iqbal Narayan Gurtu :** These are matters of vital public interest. We do not want to know the nature of discussions that go on. But we certainly want to know what is the basis on which the Ministers hold their office. It is a matter of vital public interest.

**The Hon'ble the President :** It may be of vital interest; but it is for the Hon'ble Minister to reply.

**Pandit Govind Ballabh Pant :** Is it the spirit of joint parliamentary committee's recommendation that the Minister should not work in joint responsibility?

**The Hon'ble Rai Rajeshwar Bali :** The honourable member can see the recommendations of that committee for himself.

**Pandit Govind Ballabh Pant :** How does the Government interpret the recommendations of the joint parliamentary committee when they give this answer that they regard themselves as acting in the spirit of the recommendations of the joint parliamentary committee. Our own interpretation of the recommendation may differ from that of the Government, so I want to know the interpretation that Government has placed on it.

**The Hon'ble Rai Rajeshwar Bali :** That we are working in concert.

**Pandit Govind Ballabh Pant :** Is there any difference between working in concert and working on the principle of joint responsibility?

No answer.

**Pandit Govind Ballabh Pant :** Is the Hon'ble Minister prepared to say that the Ministers do not work on the principle of joint responsibility?

**The Hon'ble Rai Rajeshwar Bali :** I cannot add anything to what I have said.

**Mr. C. Y. Chintamani :** Will the Hon'ble Minister be pleased to interpret the language of the sentence for our benefit?

**The Hon'ble Rai Rajeshwar Bali :** I think the meaning is quite obvious.

**Babu Bhagwati Sahai Bedar :** Will all the three Ministers resign if a vote of censure is passed on one of them?

**The Hon'ble the President :** That is a hypothetical question.

**Pandit Govind Ballabh Pant :** Are we to understand that they act in concert, but they are not acting on the principle of joint responsibility?

No answer.

**Raja Jagannath Bakhsh Singh :** May I know the reason for the silence of the Minister ?

**The Hon'ble the President :** Silence requires no reason at all.

#### PRESS ATTACHED TO THE ENGINEERING COLLEGE, ROORKEE.

\*122. **Mr. C. Y. Chintamani :** (a) Is there a printing press attached to the Civil Engineering College at Roorkee ?

(b) Was there ever a proposal to amalgamate it with the Government Press at Allahabad ?

(c) For what reasons was such proposal made and why was it not carried into effect ?

**The Hon'ble Rai Rajeshwar Bali :** An answer will be given at a later date.

#### RENTS OF GOVERNMENT BUILDINGS.

\*123. **Mr. C. Y. Chintamani :** (a) On what basis have the rates of rent per day been fixed in the cases of Nos. 4, 5, 6, 7, 8, 9, 15 and 16 in the statement printed at pages 74 and 75 of volume XXVIII of the Proceedings of the Legislative Council, 1926 ?

(b) In the case of Nos. 15 and 16, are the houses used as combined residences and offices ? If they are, what rent do the Government pay on account of the latter ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) A statement showing the basis on which the rents in question were fixed is placed on the honourable member's table.

(b) (1) No. The quarters are not used as combined residence and office by the officers occupying them, but the whole building known as Darshan Bilas is divided into two sets of quarters and offices for the Public Works department and *Camp Secretariat*.

(2) Government pays no rent for any part of the building.

(See Appendix E, page 1435.)

#### ASPHALTING OF ROADS IN LUCKNOW.

\*124. **Rai Bahadur Babu Vikramajit Singh :** Will the Government be pleased to state what amount of money it has spent for asphaltting the roads in the city of Lucknow ?

**The Hon'ble Nawab Muhammad Yusuf :** Rupees 1,90,720.

\*125. **Rai Bahadur Babu Vikramajit Singh :** (a) What is the length of roads thus constructed and (b) what is the amount of money spent on each road ?

**The Hon'ble Nawab Muhammad Yusuf :** (a) 166,000 feet.

(b) The cost of each road separately is not known except that of the Circular Road (demonstration portion) which is Rs. 49,074.

\*126. **Rai Bahadur Babu Vikramajit Singh :** Does the Government propose asphaltting any further roads in Lucknow in the near future ?

**The Hon'ble Nawab Muhammad Yusuf :** No, but the municipal board propose to do so.



\*127. **Rai Bahadur Babu Vikramajit Singh** : What share, if any, did the municipality of Lucknow bear towards the cost of asphaltting ?  
**The Hon'ble Nawab Muhammad Yusuf** : Rupees. 2,07,823.

\*128. **Rai Bahadur Babu Vikramajit Singh** : What share, if any, did the Improvement Trust of Lucknow bear towards the cost of asphaltting ?

**The Hon'ble Nawab Muhammad Yusuf** : The Improvement Trust, Lucknow, did not share the cost of asphaltting.

\*129. **Rai Bahadur Babu Vikramajit Singh** : Have the railway authorities asphalted any roads in Lucknow, and, if so, which ?

**The Hon'ble Nawab Muhammad Yusuf** : The railway authorities have asphalted the following roads in Lucknow :—

- (1) Gregson Road from east sub-way to east gate of Charbagh.
- (2) Alambagh Road from Jail Road (opposite L. 15) to junction with P. W. D. road beyond lime works.
- (3) Alambagh Road from P. W. D. road to Butchers' mosque.
- (4) Alambagh Road from Butchers' mosque across Cawnpore Road to electric shop.
- (5) Alambagh Road from electric shop to stores gate.
- (6) Alambagh Road from stores gate to Talkatora Road.

#### ASPHALTING OF ROADS IN CAWNPORE.

\*130. **Rai Bahadur Babu Vikramajit Singh** : Does the Government intend to bear the cost, whole or any portion, in asphaltting any roads in Cawnpore ? If so, what amount does the Government propose to spend during the year 1927-28 ?

**The Hon'ble Nawab Muhammad Yusuf** : No.

#### NIGHT SCHOOLS FOR DEPRESSED CLASSES.

\*131. **Babu Ram Charana** : Will the Government be pleased to state the total number of night schools in the rural and urban areas of the different districts of these provinces ?

How many of them are depressed class schools ?

What was the total number of students reading in these schools on January 1, 1927 ?

What was the number of depressed class students in them ?

What was the total number of teachers and what was the number of depressed class teachers out of these ?

**The Hon'ble Rai Rajeshwar Bali** : Two statements are laid on the table of the honourable member.

(See Appendix F, page 1236.)

\*132. **Babu Ram Charana** : [Of. No. \*88 of March 4, 1927.]

\*133 to \*135. **Pandit Nanak Chand** : [Of. Nos. \*94 to 96 of March 4, 1927.]

## TURPENTINE AND RESIN FACTORY.

\*136. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that the Turpentine and Resin Factory were valued at Rs. 3,25,735 against their book value of Rs. 3,79,821?

\*137. Is it a fact that the floating assets of the Saw-mills and Turnery in the Forest department were valued at Rs. 2,86,610 against their book value of Rs. 4,30,000?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to the answer given to Mr. Ashiq Husain Mirza's starred question No. 23 on March 30, 1925.

*Copy of starred question No. 23 asked by Mr. Ashiq Husain Mirza, and answer given on March 30, 1925, referred to in answer to starred questions No. 136 and 137 for April 2, 1927.*

## QUESTION.

■ Will the Government be pleased to state who were the persons (give names and designations) who valued the materials and goods of turpentine and resin and bobbin factories for which debentures were taken by Government from the respective companies? What was the valuation, for which amount the debentures were taken, and what was the book value of these materials and goods?

## ANSWER.

■ (a) Mr. Ryan, Secretary of the Upper India Chamber of Commerce, Calcutta.

	Book valuation of stocks. Rs.	Value assessed by the valuer. Rs.
(b) Indian Bobbin Company.. ..	4,30,000	2,86,610

The stock which was written down chiefly consisted of timber which had been in stock for a considerable time.

	Book valuation of stocks. Rs.	Value assessed by the valuer. Rs.
Indian Turpentine Company .. ..	3,79,821	3,25,735

\*138. **Dr. Shafa'at Ahmad Khan :** Did the syndicate which took over these companies issue debentures for the amounts in exchange for these floating assets?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\*139. **Dr. Shafa'at Ahmad Khan :** Is it a fact that these debentures have not yet been properly executed? If the answer be in the affirmative, will the Government be pleased to state when they were executed?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The debenture trust deeds were executed on August 20, 1926.

\*140. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state whether the charges on the assets and undertaking of the two companies were registered with the Registrar, Joint Stock Companies, under the Companies Act, 1913, within 21 days of the change?

If the answer be in the affirmative, will the Government be pleased to give the date of such registration?

If the answer be in the negative, will the Government be pleased to state why they were not registered as required by law?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** It is not understood what is meant by "charges on the assets and undertaking," nor what "change" is referred to.

\*141. **Dr. Shafa'at Ahmad Khan :** Was good will taken into consideration in determining the sale of these companies? If not, why not?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Yes.

\*142. **Dr. Shafa'at Ahmad Khan :** Why were not the profits prior to incorporation of these companies claimed by the Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Because they did not belong to Government.

\*143. **Dr. Shafa'at Ahmad Khan :** Is it a fact that the profits prior to incorporation of the Turpentine and Resin Factory amounted to Rs. 1½ lakhs waived by the Government?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

\*144. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that the Government have sustained a loss of 18 lakhs over the sale of the Turpentine and Resin Factory and Saw-mills and Turnery?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The honourable member is referred to the answer given to Mr. Ashiq Husain Mirza's starred question No. 69 on December 17, 1924. Book value is, however, a different thing from real value.

*Copy of starred question No. 69 asked by MR. ASHIQ HUSAIN MIRZA, and answer given on December 17, 1924, referred to in answer to starred question No. 144 for April 2, 1927.*

#### QUESTION.

\* Will the Government be pleased to state what amount these respective factories (bobbin and turpentine) cost the Government net, and for what amounts respectively they were handed over to the companies? What loss was sustained by the Government in this transaction?

#### ANSWER.

**Mr. F. F. R. Channer :** The book value of the bobbin factory at the time it was handed over to the syndicate, including buildings, land, machinery and siding, was Rs. 13,64,861. It was handed over to the company on the valuation of Rs. 4,50,000. The same figures of turpentine factory are Rs. 6,12,335 and Rs. 6,00,000. The loss was accordingly Rs. 9,14,861, and Rs. 2,12,335, respectively.

**Rai Bahadur Lala Sita Ram :** Is the Chief Conservator of Forests in a position to tell us as to why the land, machinery and siding to the value of Rs. 13,64,861 were handed over to the company for Rs. 4,50,000, that is to say, at a loss of about nine lakhs of rupees?

**Mr. F. F. R. Channer :** No other firm offered a higher price.

**Rai Bahadur Lala Sita Ram :** Were any tenders called for?

**Mr. F. F. R. Channer :** Yes.

**Rai Bahadur Lala Sita Ram :** Did anybody else offer for it?

**Mr. F. F. R. Channer :** The proposal to sell the concern was widely advertised, but nobody else offered for it.

**Rai Bahadur Lala Sita Ram :** Were any other tenders received?

**Mr. F. F. R. Channer :** No, except that of the syndicate.

\*145. **Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state the names of the directors of these companies?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The following gentlemen are on the Board of Directors of both companies—

Mr. Srivastava

M. Allen.

Mr. Gavin Jones.

Mr. Elms.

In addition Nawab Sir Muhammad Muzamil-ullah Khan, K.C.I.E., is a director of the Bobbin Company.

\*146. Dr. Shafa'at Ahmad Khan: Why are the Government represented by only one director on the board of each of these companies?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Because one is sufficient to watch the interests of Government.

\*147. Dr. Shafa'at Ahmad Khan: Is it a fact that though valued at six lakhs, the fixed assets in the case of the Turpentine and Resin Company were really sold for three lakhs?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The shares of the company are only half paid up. For the purpose of dividend the Government shares therefore rank at half their face value, but in case of liquidation they reckon at their full face value.

\*148. Dr. Shafa'at Ahmad Khan: Is it a fact that "A" shares rank for dividends only three-fourths of their face value?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: Upon further calls being made on B shares, A shares will rank for dividend for an additional sum equal to one-half of any call on B shares.

#### INDIAN BOBBIN COMPANY.

\*149. Dr. Shafa'at Ahmad Khan: Will the Government be pleased to lay on the table a statement showing the profits and losses sustained by the Indian Bobbin Company last year?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: The profit and loss account of last year has not yet been before a meeting of shareholders: it cannot therefore be made public property.

\*150. Dr. Shafa'at Ahmad Khan: (1) Have the managing agents of the company asked the Government to write down their holdings in the ordinary shares to  $1\frac{1}{2}$  lakhs, and write off debentures completely?

(2) What reply have the Government given?

\*151. Will the Government be pleased to state what amount the Government will lose if these proposals are agreed to?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan: As negotiations are at present proceeding, Government are not in a position to reply.

\*152. Dr. Shafa'at Ahmad Khan: Is it a fact that the Government have advanced to the Indian Bobbin Company Rs. 80,000 on the security of further debentures which have not yet been further executed? If so, what was done, and when?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** Government lent the Bobbin Company Rs. 80,000 in the autumn of 1925 to build up stocks which were required before there could be any prospect of profitable trading. These are included in the debenture trust deed mentioned in the reply to question No. 139.

**RIOT ON SHAB-I-BARAT AT BAHADURGANJ TAHSIL, GHAZIPUR.**

**\*153. Dr. Shafa'at Ahmad Khan :** Will the Government be pleased to state if it is a fact that a riot occurred in the Bahadurganj tahsil of Ghazipur district on the day of *Shab-i-Barat* this year last February?

If so, will the Government be pleased to lay a statement on the table showing the causes of the riot, losses sustained by the parties and the methods adopted by the Government to suppress it?

**The Hon'ble Sir Sam O'Donnell :** A riot occurred at Bahadurganj in the Ghazipur district on February 17, the day of *Shab-i-Barat*. The casualties were as follows:—

*Muslim.*—One killed, one seriously injured and fourteen with minor injuries.

*Hindus.*—Seven with minor injuries.

It is reported that twelve shops and houses of Muslims were looted and that the stock in the verandah of two *halwais'* shops was also looted. No methods were adopted by the Government to suppress the riot because it was already over when the police arrived at the spot. The Government are unable to make any further statement as the cases connected with the riot are *sub judice*.

**POSTPONEMENT OF CASES OF LAWYER MEMBERS OF COUNCIL.**

**\*154. Pandit Bhagwat Narayan Bhargava :** Has the Government or the High Court issued any orders to subordinate courts that cases of M. L. C. lawyers should on no account be postponed to or fixed for days when they have to attend the Council?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**\*155. Pandit Bhagwat Narayan Bhargava :** Is there any objection to such cases being postponed even if the other party does not object to the postponement?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The granting or refusing of postponements is a matter of judicial discretion on which Government decline to express an opinion.

**SETH DAMODAR SWARUP, AN UNDER-TRIAL PRISONER.**

**\*156. Babu Sampurnanand :** Was any clinical and bacteriological examination ever made of the sputum, blood, urine or vomit of Seth Damodar Swarup while he was in jail? If so, when was such examination made, by whom was it made and at what laboratory? What did the analysis disclose as to the nature of his complaint?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The urine was examined at the Lucknow Medical College, weekly at the Bareilly district jail, and again at the McLaren Leper Hospital Laboratory, Dehra Dun, by Dr. Bajpai on September 16, 1926. The blood,

[April 2, 1927.]

vomit and sputum were not examined microscopically, but an X-ray examination of the lungs was made. The examinations did not disclose the existence of any complaint.

**Thakur Manjit Singh Rathor :** Is it a fact that Seth Damodar Swarup desired to be treated under the Ayurvedic system ?

**The Hon'ble the President :** We have had a long discussion on this in the discussion of the budget. All this information was given then. It is a waste of time to begin it again.

**Babu Sampurnanand :** Did Dr. Bijpai constitute the Medical Board to which the Hon'ble Minister referred on a previous occasion ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No, Dr. Bhatia.

**Babu Sampurnanand :** What was the nature of the medical examination conducted by the Medical Board ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** They conducted them according to their own will. I do not know how they examined the patient ; I am not a doctor, as the honourable member knows.

**Babu Sampurnanand :** When was this X-ray examination of the lungs carried out ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not know the date.

**Thakur Manjit Singh Rathor :** Is it a fact that the non-official visitor recommended his transfer to the Almora jail in the interest of his health ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I do not know.

**Babu Sampurnanand :** Why was Seth Damodar Swarup's blood and sputum not examined ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Because the doctor thought it was not at all necessary to examine the sputum and blood.

**Babu Sampurnanand :** Have recent researches in medical science dispensed with the necessity of examining the blood in connexion with the examination of sputum ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Whenever they find any congestion in the lungs, they examine the sputum in order to be certain whether there is T. B. or not. But when they find no congestion, they do not see the necessity for examining the sputum.

**Babu Sampurnanand :** Does what the Hon'ble the Home Member has just now stated apply to the vomit ?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Perhaps the honourable member is aware that vomit has got nothing to do with T. B.

**Babu Sampurnanand :** Has it not got anything to do with the intestines and with the contents of the stomach ?

**No answer.**

\*157. **Babu Sampurnanand** : Will the Government lay on the table a copy of the bacterio-clinical analyst's report in the above case?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : No formal reports have been received. Such examinations are made in the ordinary course of hospital and jail hospital routine and in such cases formal reports are not placed on record, particularly where the results are negative.

GOVERNMENT'S GRANTS AND LOANS TO LUCKNOW, ALLAHABAD AND  
BENARES MUNICIPALITIES.

\*158. **Babu Sampurnanand** : What were the amounts received by the municipalities of Lucknow, Allahabad and Benares respectively as grants and loans from the Government during the period 1906 to 1915 and 1916 to 1925?

**The Hon'ble Rai Rajeshwar Bali** : The compilation of this statement is not yet complete.

FINANCIAL ASSISTANCE TO BENARES MUNICIPALITY.

\*159. **Babu Sampurnanand** : Has the Government received any request for financial relief or assistance from the Benares municipal board during the period 1923 to 1926? If so, what was the nature of the relief or assistance sought in each case and what action did Government take on each such request?

**The Hon'ble Rai Rajeshwar Bali** : Information is not yet complete. An answer will be given at a later date.

HONORARY MAGISTRATES, ASSISTANT COLLECTORS AND MUNSIFS IN  
JHANSI.

\*160. **Pandit Bhagwat Narayan Bhargava** : Are there any graduates or under graduates amongst the existing honorary magistrates in the United Provinces, specially Jhansi division? If so, with what special powers are they invested?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan** : One honorary magistrate in the Jalaun district of the Jhansi division is a graduate. Inquiry as to the number of honorary magistrates throughout the province who are graduates or undergraduates would entail an amount of labour and expense which Government are not prepared to undertake. Special powers are not given to honorary magistrates merely on the ground that they are graduates or undergraduates.

\*161. **Pandit Bhagwat Narayan Bhargava** : Are there any honorary assistant collectors in Jhansi division?

**The Hon'ble Sir Sam O'Donnell** : No.

\*162. **Pandit Bhagwat Narayan Bhargava** : Has the Government ever drawn the attention of the Commissioner of Jhansi division to the desirability of having honorary munsifs and assistant collectors in his division?

**The Hon'ble Sir Sam O'Donnell** : No.

**Pandit Bhagwat Narayan Bhargava :** Has the Government any objection to bringing it to the notice of the Commissioner now?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I will inquire from the Commissioner if there are any reasons for appointing them.

#### REVISION OF THE PAY OF ORDERLY PEONS OF COLLECTORATES.

**\*163. Pandit Bhagwat Narayan Bhargava :** Has the Government received any memorial from orderly peons of collectorate about the revision of their pay? If so, what action has the Government taken on it?

**The Hon'ble Sir Sam O'Donnell :** Memorials from Jaunpur, Mirzapur and Ballia reached Government last week. They have not yet had time to consider them.

#### CANAL RATES IN MIRZAPUR.

**\*164. Sri Ganesh Shankar Vidyarthi :** (a) Is it a fact that the charges for irrigation from the canal in the Mirzapur district are higher than those in the same type of forest locality?

(b) Has any representation been made to the Government from any Kisan Sabha of the Mirzapur district about the abnormality of the charges?

**The Hon'ble Sir Sam O'Donnell :** (a) I do not understand what is meant by the words "same type of forest locality," but if the reference is to Bundelkhand, then the answer is in the negative.

(b) Yes, but it was not signed and was consequently filed.

**Sri Ganesh Shankar Vidyarthi :** Is it a fact that the charges of irrigation from the canal in the Mirzapur district are higher than those in the Cawnpore district?

**The Hon'ble Sir Sam O'Donnell :** I must ask for notice. I always understood that the rates were rather low in Mirzapur, but I must ask for notice.

#### SLAUGHTER-HOUSES AND ANIMALS SLAUGHTERED.

**\*165. Babu Bhagwati Sahai Bedar :** Will the Government be pleased to lay on the table the following statement:—

Name of municipality.	Number of slaughter-houses.	Daily average of animals slaughtered.		Number of beef markets.	Number of meat markets.	Number of stray shops for sale of beef.	Number of stray shops for sale of meat.
		For beef purpose.	For meat purpose.				
1	2	3	4	5	6	7	8

**The Hon'ble Nawab Muhammad Yusuf :** Information is not yet complete. An answer will be given at a later date.



\*166. **Babu Bhagwati Sahai Bedar** : [*Cf. No. \*160 of March 23, 1927.*]

EXHIBITION COMMITTEE, MORADABAD.

\*167. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to state the name of the body or individual who controls the finances of the Moradabad exhibition held every year ?

\*168. How often and by whom are the accounts of the Moradabad exhibition audited, and when and by whom these accounts were audited last ?

\*169. Was any regular audit note of the account checking prepared, and before whom it was laid for information ?

\*170. Will the Government be pleased to lay on the table a statement showing the income and expenditure of the exhibition under major heads during the last three years ?

**The Hon'ble Nawab Muhammad Yusuf** : Information is not yet complete. An answer will be given at a later date.

TIME-SCALE PAY TO COLLECTORATE ESTABLISHMENTS.

\*171. **Babu Bhagwati Sahai Bedar** : Will the Government be pleased to consider the desirability of—

(a) revising the starting scale of the pay of collectorate establishment ;

(b) granting them time-scale ;

(c) giving them the benefit of provincial divisional list ?

**The Hon'ble Sir Sam O'Donnell** : The answer is in the negative. The starting scale was increased by 75 per cent. in 1920, and Government consider it now adequate. A time-scale would not secure promotion by merit to the same extent as the present system and would be unnecessarily expensive, while a provincial or divisional list would weaken the Collector's control of his office and make for inefficiency.

BOUNDARIES AND POPULATION OF THE HALDWANI NOTIFIED AREA.

\*172. **Khan Bahadur Hafiz Hidayat Husain** : Were the boundaries of the Haldwani Notified Area Committee limited to the town itself ? What was its population then ? How much Hindu, how much Muslim and how much others ?

Have Kathgodam and Ranibagh been also thrown into Haldwani Notified Area Committee ? What is the population of the combined area now ? How much Hindu, how much Muslim and how much others ? Why has it been necessary to include Kathgodam and Ranibagh in Haldwani ? What is the distance of each of these towns from Haldwani ?

**The Hon'ble Nawab Muhammad Yusuf** : Information is not yet complete. An answer will be given at a later date.

DÉPÔT AT PATWADANGAR, NAINI TAL.

\*173. **Pandit Badri Dutt Pande** : (a) Will the Government be pleased to state if the dépôt at Patwadangar (Naini Tal district) is a dairy farm, poultry farm, lymph dépôt or a garden ?

(b) Will the Government give details of the receipt and expenditure of the above dépôt for the last three years separately, if possible, for the four items cited above?

(c) Will the Government be pleased to state the necessity of keeping a poultry farm and a garden in a lymph dépôt?

(d) Is it a fact that in 1924-25 a very large quantity of lymph went bad? If so, what was the loss to the tax-payer and what was the reason of the deterioration of the lymph?

(e) Who is the officer directly in charge of the lymph dépôt?

(f) What are his medical qualifications, if any?

(g) Is it a fact that the sanitary commissioner is also the medical officer of the dépôt?

**The Hon'ble Rai Rajeshwar Bali :** Information is not yet complete. An answer will be given at a later date.

#### KING-EMPEROR *versus* DEVI ROY AND OTHERS.

\*174. **Thakur Shiva Shankar Singh :** (a) Has the attention of the Government been drawn to the judgement of the Sessions Judge, Ghazipur, dated December 18, 1926, King-Emperor *versus* Devi Roy and others under section 395, Indian Penal Code, police station Gahmar, district Ghazipur?

(b) Has any action been taken against the police inspector and sub-inspector? If not, what action does the Government intend to take against them in the above case?

(c) Will the Government be pleased to state the remarks of the district judge about the case and lay a copy of the judgement on the table?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Government have not yet received a copy of the judgement in this case and a reply to the question will be given at a later date.

#### CASE OF ARBORICULTURE SUPERVISOR, DISTRICT BOARD, GHAZIPUR.

\*175. **Thakur Shiva Shankar Singh :** (a) Is the Government aware that the Commissioner, Benares division, repeatedly refused to forward through his communications Nos. 4102 of July 3, 1924 and XXI—215 of August 4, 1924, the case of arboriculture supervisor, district board, Gazipur, to the Government communicated to him by letters Nos. 116 of June 17, 1924 and 157 of July 19, 1924, from the chairman, district board, Ghazipur?

(b) What remedy do the Government suggest to chairmen in cases their recommendations are not forwarded to the Government?

(c) What steps do the Government intend taking about the claim?

**The Hon'ble Nawab Muhammad Yusuf :** Information is not yet complete. An answer will be given at a later date.

#### GANGOH-NAKUR ROAD IN SAHARANPUR.

\* 176. **Chaudhri Mangat Singh :** (a) Is it a fact that there is much traffic on Gangoh-Nakur road in Saharanpur? Is the road *kachcha* or metalled?

(b) How much annual repairs has been done to roads this year by the district board?

**The Hon'ble Nawab Muhammad Yusuf:** Information is not yet complete. An answer will be given at a later date.

"PEETH BAZAR" IN TOWN GANGOH, SAHARANPUR.

\* 177. **Chaudhri Mangat Singh:** (a) Is the "Peeth bazar" in town Gangoh, district Saharanpur, the property of the Town Area Committee or the joint property of the co-sharers?

(b) Is it a fact that there are two contrary decisions of the town magistrate as to whose property it is?

**The Hon'ble Nawab Muhammad Yusuf:** (a) The "Peeth bazar" in town Gangoh is recorded in the village papers as the joint property of the co-sharers.

(b) Yes.

DAMAGE TO *rabi* CROPS IN SAHARANPUR.

\* 178. **Chaudhri Mangat Singh:** Is the Government aware that in some villages in district Saharanpur the *rabi* crops have been entirely destroyed by hailstorm? If so, what is the extent of the damage? Which villages were affected most? How do the Government propose to help the cultivators of these villages?

**The Hon'ble Sir Sam O'Donnell:** (a) Government are informed that in no village in the Saharanpur district has the *rabi* crop been entirely destroyed by hail.

(b) There has been damage in parts of twenty villages of Nakur tahsil, and slight damage in twelve villages of Deoband tahsil.

(c) Islamnagar.  
Muzaffarpur.  
Nainkheri.  
Nalhera.  
Chak Topri.  
Ambehta.  
Govindgarh.

(d) Relief will be given where necessary in accordance with rules, when detailed proposals are received from the local authorities.

SAHARANPUR EXHIBITION.

\* 179. **Chaudhri Mangat Singh:** (1) How is the Saharanpur exhibition held—under the control of a local body or under official patronage? How are subscriptions for this exhibition raised?

(2) Do the tahsildars realize the subscription for this show?

(3) Is it a fact that in the majority of cases such subscription is demanded at the time when the lambardars and co-sharers put Government revenue into the tahsil treasury?

**The Hon'ble Nawab Muhammad Yusuf:** Information is not yet complete. An answer will be given at a later date.

\* 180. **Pandit Govind Ballabh Pant:** [Of. No. 38 of March 24, 1927.]

## UNSTARRED QUESTIONS

1 to 8. **Babu Kavendra Narayan Singh** : [*Postponed at the request of Government till the first day of the next session.*]

9. **Mr. C. Y. Chintamani** : [*Postponed at the request of Government till the first day of the next session.*]

GRANT FOR TECHNICAL SCHOOL TO THE ANJUMAN ISLAMIA, BAREILLY.

10. **Maulvi Zahur-ud-din** : Has the Anjuman Islamia of Bareilly applied to the Government for a recurring as well as a non-recurring grant for its technical school?

**Kunwar Jagdish Prasad** : Yes.

11. **Maulvi Zahur-ud-din** : Has the application been disposed of? If so, with what result?

**Kunwar Jagdish Prasad** : Government have entered the sum of Rs. 600 recurring in the budget.

12. **Maulvi Zahur-ud-din** : How long has the application been pending?

**Kunwar Jagdish Prasad** : Since August last.

13. **Maulvi Zahur-ud-din** : Has the Government sanctioned any recurring and non-recurring grant for the year 1926-27?

**Kunwar Jagdish Prasad** : No.

14 to 16. **Maulvi Zahur-ud-din** : [*Postponed at the request of Government till the first day of the next session.*]

## REPAIRS OF DISTRICT BOARD ROADS, AGRA.

17. **Raja Kushal Pal Singh** : (1) Will the Government be pleased to state whether they referred to the Board of Communications the suggestion to give district boards the power of recovering from the owners of motor lorries the cost of the extra repairs of roads to which district boards are rendered liable by the wear and tear caused by those lorries?

(2) If the answer to the above be in the affirmative, will the Government be pleased to state what reply they have received from the Board of Communications and what action (if any) they propose to take?

**Sir Ivo Elliott** : (1) Yes.

(2) The question is still under the consideration of the Board of Communications.

## PROVINCIALIZATION OF THE AGRA-FATEHABAD-BAH-KACHAURA ROAD.

18. **Raja Kushal Pal Singh** : Will the Government be pleased to state what orders have been passed on the representation made by the Agra district board regarding the provincialization of the Agra-Fatehabad-Bah-Kachaura road?

**Sir Ivo Elliott** : Government have received no representation on the subject.

PROVINCIALIZATION OF THE FEEDER ROADS TO RAILWAY STATIONS  
OF TUNDLA, ETMADPUR AND BHANDAI.

19. **Raja Kushal Pal Singh** : Will the Government be pleased to state what orders have been passed on the representation made by the Agra district board regarding the provincialization of the feeder roads to railway stations of Tundla, Etmadpur and Bhandai?

**Sir Ivo Elliott** : The question is under consideration.

NAZUL PROPERTIES IN AGRA.

20. **Raja Kushal Pal Singh** : Will the Government be pleased to state the grounds on which the nazul properties have been taken over from the Agra district board by Government?

**Sir Ivo Elliott** : Information is not yet complete. An answer will be given at a later date.

RAMAYAN *katha* IN MISRI BAZAR, CAWNPORE.

21. **Babu Uma Shankar** : Is it a fact that some Muhammadans raised objection to the reciting of the Ramayan *katha* at 8.30 p.m. in a certain Hindu house in Misri bazar, Cawnpore?

**Mr. G. B. Lambert** : Yes.

22. **Babu Uma Shankar** : Is it a fact that the city kotwal ordered the Hindus to begin the *katha* at 9.30 p.m. and used threatening language to the Hindu residents of the mohalla?

**Mr. G. B. Lambert** : No. The parties concerned agreed among themselves in the first place that the *katha* should begin at 9.30 p.m. They confirmed this agreement before the kotwal. The answer to the last part of the question is in the negative.

23. **Babu Uma Shankar** : Is it further a fact that the magistrate revised the order of the kotwal?

**Mr. G. B. Lambert** : On the next day the owner of the house in which *katha* took place changed his ground and wished to begin his *katha* at 8.30 p.m. The parties were sent for by the magistrate on one or two occasions, and it was amicably agreed by both parties that the Hindus should observe the *katha* from 8.30 p.m., but that they should not make an excessive noise and that only the number of Hindus which ordinarily attended the *katha* should be present.

24. **Babu Uma Shankar** : Will the Government kindly lay on the table the said order of the magistrate?

**Mr. G. B. Lambert** : No written order was issued by the magistrate.

FUTURE BUSINESS OF THE COUNCIL.

**Mr. C. Y. Chintamani** : With your permission, Sir, I would put a question to the Leader of the House with regard to the business of the Council.

**The Hon'ble the President** : What is the question?

**Mr. C. Y. Chintamani:** The question is whether the Government intend after today's meeting to postpone what is of the supplementary demands is not disposed of until the Naini Tal session instead of taking it in this session.

**The Hon'ble the President:** The Leader of the House himself wanted to make a statement on the subject.

**The Hon'ble Sir Sam O'Donnell:** We had hoped that the supplementary estimates would be disposed of in a single day. Judging from our past experience that was a reasonable anticipation. Yesterday we received motions for reduction, and they total over 500. It is clear, therefore, that our anticipations were mistaken. Further, we have reason to believe that it will be very inconvenient to many honourable members to return after the holidays. Therefore it has been decided that any supplementary estimates that we shall not finish today will stand over till the next meeting of the Council which will be held in the month of June, in Naini Tal, when ample time will be allotted for the supplementary estimates and for non-official business.

### MESSAGE FROM HIS EXCELLENCY THE GOVERNOR.

The Hon'ble the President read the following message from His Excellency the Governor :—

"The Governor wishes to congratulate the Members of the Legislative Council upon the termination of the present budget session. He thanks the Council for the consideration which it has given to the public business of the province during a session which, owing to the inconvenient occurrence of holidays, has involved greater demands than usual upon the time of honourable members. He is indebted to the Council for having provided the funds necessary to carry on the administration for the ensuing year and to place the provincial finances upon a satisfactory basis.

"For the reasons stated by the Hon'ble the Finance Member, it has been decided that any supplementary estimates which are not disposed of today shall stand over until the next meeting of the Council, which it is the Governor's intention to summon in Naini Tal in June. The Governor hopes that by the next budget session it may be possible for the Council to meet in comparative comfort in the new Council Chamber.

"The Governor declares that the Legislative Council is hereby prorogued with effect from the termination of this day's session until such further date as may in due course be announced."

#### *Motion for adjournment.*

**The Hon'ble the President:** I find on my table a slip containing the following signed by an honourable member of this Council, Raja Jagannath Bakhsh Singh :—"In view of the fact that the Government propose to postpone the remaining business of today's Council meeting for the session to be held in Naini Tal, I beg to move the adjournment of the House today." I do not consider that this motion is in order.

## THE PUBLIC ACCOUNTS AND FINANCE COMMITTEES.

The Hon'ble the President announced the constitution of the Public Accounts Committee and the Finance Committee for the financial year 1927-28.

**Public Accounts Committee.**

(Elected by the Council.)

Rai Bahadur Lala Mathura Prasad Mehrotra.  
Khan Bahadur Saiyid Jafer Husain.  
Babu Kavendra Narayan Singh.  
Chaudhri Vijai Pal Singh.  
Nawabzada Muhammad Liaqat Ali Khan.  
Rai Bahadur Chaudhri Jagannath Prasad.  
Hafiz Muhammad Ibrahim.  
Rao Sabib Kunwar Sardar Singh.

In addition to the Hon'ble the Finance Member as *ex officio* Chairman, the following members have been nominated by the Government :—

Rai Bahadur Munshi Ambe Prasad,  
Mr. E. M. Souter, and  
Mr. H. C. Desanges.

**The Finance Committee.**

(Elected by the Council.)

Mr. C. Y. Chintamani.  
Raja Saiyid Ahmad Ali Khan Alvi.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Mohan Lal.  
Thakur Hukum Singh.  
Pandit Govind Ballabh Pant.  
Dr. Shafa'at Ahmad Khan.  
Khan Bahadur Hafiz Hidayat Husain.

The nominated members are —

The Hon'ble the Finance Member, who will be *ex officio* Chairman,  
The Secretary to Government in the Finance department,  
Kunwar Surendra Pratap Sahi, and  
Mr. Zahur Ahmad.

**THE UNITED PROVINCES DEPUTY PRESIDENT'S  
SALARY (AMENDMENT) BILL.**

**The Hon'ble Sir Sam O'Donnell :** I beg to introduce the United Provinces Deputy President's Salary (Amendment) Bill.

**The Hon'ble Sir Sam O'Donnell :** I beg to move that the United Provinces Deputy President's Salary (Amendment) Bill be taken into consideration.

[The Hon'ble Sir Sam O'Donnell.]

The Bill is of a simple nature and the Statement of Objects and Reasons sufficiently explains the reasons for introducing it. The Director of Audit has held that the sanction of the Legislative Council is necessary to any concessions that may be granted to the Deputy President in respect of the journey undertaken by him. In the opinion of Government such matters should form part of the Deputy President's Salary Act, and therefore this amending Bill has been brought before the Council.

**The Hon'ble the President:** The question is that the United Provinces Deputy President's Salary (Amendment) Bill be taken into consideration.

*Motion adopted.*

**The Hon'ble the President:** I propose to take the Bill as a whole without proceeding clause by clause.

**Mr. C. Y. Chintamani:** I beg to move that in line 5 of the proposed introduction (2), for the words "local Government" the word "President" be substituted.

The Deputy President is elected by the Council. That being so, I see no reason why a journey undertaken by him outside those provinces on public business in his capacity as Deputy President should be subject to the concurrence of the executive government. If it should be subject to anybody's concurrence, it should, Sir, in my humble opinion, be to your concurrence as the President of the Council and not to that of the executive government. If the Deputy President were nominated by the Government, I could understand that at least a plausible reason might be urged in support of the clause as it is in the Bill, but as things are, I can think of none. About the only business which ordinarily takes the President or the Deputy President outside the limits of the province is what the public know as the annual conference of presidents which for several years has been convened by the President of the Legislative Assembly. There may be other and similar business now and then. It is unreasonable to assume that the Deputy President would travel outside the province on private business or public business unconnected with his duties as Deputy President and yet seek to charge to the public revenue the expenses he would incur in the journey. I am aware, Mr. President, that in the President's salary (Amendment) Act also there is a similar provision. I do not know to what extent I shall be in order if I express an opinion on the merits of that restriction inserted in that Act. At all events I shall err on the safe side, and will avoid doing so at the present moment. It will be my duty to discuss it if and when the Government, if they should not accept this amendment, might put forward this argument in justification of the phrase in the present Bill. There are difficulties connected with this phrase "local Government," difficulties due to the constitution of the Government. What exactly does the phrase "local Government" mean? Should the Deputy President take the permission of the Governor in Council, or should he take the permission of the Governor, acting with his Ministers, or should he take the permission of both, or as the connecting link between the two, if one may judge from the phraseology lately employed by the Finance Member, should he take



the permission of the Chief Staff Officer of the Government? But I am not concerned with the exact interpretation of this dubious phrase. I am concerned with this that the dignity of the Council and consequently of the President and the Deputy President—here I speak of the Deputy President only—who are elected by the Council, requires that the concurrence, if any, should be the concurrence of the President in the case of the Deputy President and not of the local Government. I do not think it is necessary for me to say more to commend this amendment to the Council.

**Lala Nemi Saran :** I beg to move that for the words “with the previous approval of the local Government” substitute the words “for any purpose connected with the discharge of his duties within India.”

As far as the permission of the local Government is suggested in this Bill, I think, Sir, without any offence either to the constituents of the local Government or to the Deputy President, I think it is below the dignity of the Chair that there should be any favours on the face of the earth which can be given or conferred on the Chair by the local Government. As far as the position of the Chair is concerned, as you rightly remarked once, the Deputy President is in no way inferior to the President. You said, Sir, that you did not sit in judgement on the rulings of the Deputy President, and in your absence the Deputy President is absolutely your substitute, and therefore I think that in order to keep up the dignity of the House, it is very necessary that the Deputy President should also be above the reach of the local Government. There are two things to be considered—the first amendment which has been moved by Mr. Chintamani substitutes the word “President.” That is, Sir, your approval in place of the local Government's approval. I think, Sir, that too is not very advisable. As far as I think it should be left to the audit department to find out whether any journey which has been taken by the Deputy President as such in connexion with his duties is really such as ought to be borne by the provincial exchequer or otherwise, and I do not think, Sir, the local Government should be the authority to sit in judgement on anything connected with the Deputy President. I also further think, Sir, that the Deputy President, imbued with all the responsibility which we put on him after electing him as our Deputy President, is the right person to be left to find out himself whether he should charge the provincial exchequer for any journeys undertaken by him in his capacity as Deputy President, and the matter should be decided between the Deputy President and the audit department. Sir, the local Government controlling the travelling allowance bills of the Deputy President would be a sort of indignity to the Deputy President in my opinion. Also, Sir, we know that the local Government is a corporation, the definition of which we are not quite well aware of. It may consist of the Governor in Council or the Governor, acting with his Ministers, and I do not know when there are occasions that the Governor in Council and the Governor, acting with his Ministers, constitute one Government. Therefore, as far as the meaning of local Government is concerned, it is a little ambiguous to us. It is but fair to the dignity of the Chair that the Deputy President should not be controlled by the local Government or be under any authority except his own self or in matters of money the audit office. Therefore I commend this amendment to the acceptance of the House.

**The Hon'ble the President :** The honourable member has adduced arguments for the deletion of the words "local Government," but he has not justified the substitution of the other words to the House.

**Lala Nemi Saran :** As far as the words which I ask to substitute, as I said, Sir, I do not want that the "President" should be substituted for local Government for the reasons that the Deputy President is in no way subordinate to the President.

**The Hon'ble the President :** That is not the point. The point is: what is the purpose connected with the words you wish to substitute?

**Lala Nemi Saran :** Now therefore, Sir, it remain for me to justify the wording I propose to substitute. I only want to insert these words in order to guide the Deputy President to find out in which matters he is entitled to charge his travelling allowance out to the provincial exchequer, and therefore, Sir, these words are really to guide the discretion of the Deputy President in matters connected with his travelling allowance outside the province. I think, Sir, that there would be occasions when the Deputy President would be called upon to take journeys outside the province perhaps to attend a meeting of the Presidents or Deputy Presidents or some other like things and for those occasions only I think it would be justifiable to charge travelling allowance to the provincial exchequer. It is for that reason I wish that these words be substituted.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I rise to support the motion of my honourable friend Mr. Chintamani. The difference between the amendment of Mr. Chintamani and that of Lala Nemi Saran is this, that my honourable friend on the right (Mr. Chintamani) wants that the Deputy President should make the journeys outside the province with the approval of the President, while the other amendment makes him quite independent and says that the Deputy President may travel without consulting even the President. Sir, the only purpose for which the President and the Deputy President have to go outside the province is to attend the conference, invited by the Hon'ble the President of the Legislative Assembly, as has been pointed out by the leader of the Nationalist party. So far, we have not found any other case, but it may be found that other occasions may arise when the President or the Deputy President may have to go to other provinces in connexion with the duties of their offices. In the Bill that was moved in the last session regarding the salary of the President, a provision was incorporated to the effect that the President can only go outside the province with the previous approval of the Government. It was certainly a mistake. The President should not be under the thumb and control of the Government. When he goes outside the province to discharge his duties, it should not be required of him to seek the approval of the Government.

**The Hon'ble the President :** The President is not in question now. We are dealing with the Deputy President.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** I am coming to that point. But as the mistake has once been committed and the President has no choice in the matter but to take the approval of the Government, there ought to be some such restriction for the Deputy President

as well, but for that restriction I would not like that he should go to the Local Government. It should be restricted to the President alone, and for this reason I extend my hearty support to the amendment moved by the Leader of the nationalist party.

**The Hon'ble Sir Sam O'Donnell:** As regards the amendment of the honourable member for Partabgarh, we have of course, in framing this Bill, simply followed the precedent of the Bill relating to the President himself. When that Bill came before the late Council it did not occur to any one that the requirement regarding the previous approval of the Local Government involved anything derogatory to the dignity of the Council or raised any constitutional issue. However, Sir, we have full confidence that any discretion granted to you will be properly exercised, and I do not therefore wish to oppose the motion of the honourable member for Partabgarh.

As regards Mr. Nemi Saran's amendment, I think it is open to objection because it is worded in undesirably vague terms. "For any purpose connected with the discharge of his duties within India" is a very vague expression indeed, and the result of including such a vague definition in the Bill will undoubtedly be disputes with the Audit department. Mr. Nemi Saran said that if any question arises as to whether a particular bill for travelling was admissible or not the Audit department would settle it. Of course, they would settle it, but the last thing we desire is that there should be unseemly disputes between the Deputy President and the Audit department. The Act should be so worded that there should be no difficulty whatever with the Audit department. That is the objection to Mr. Nemi Saran's amendment.

**Khan Bahadur Maulvi Fasih-ud-din:** I am sorry I have to oppose the motion of Lala Nemi Saran and support the motion of Mr. Chintamani. There is one point which has not been brought out in connexion with this Bill which leads me to support the motion of Mr. Chintamani. I confess that I do not agree with Lala Nemi Saran that it is in any way derogatory to the position of the Deputy President to have his bill countersigned by any member of the local Government or that by countersigning the bill any member of the Local Government shows any favour to the officer concerned. There is one very important matter in connexion with this and it is this. The Deputy President is not only elected by the Council, but he can also take part in the discussions in this Council. He has the right to criticize adversely the action of the Government, just as any other non-official member of this Council. There is therefore absolutely no reason why he should not be treated on a par with the other non-official members in the matter of countersignature of his bills. It is but right that the President and President alone should countersign his bill.

**Rai Bahadur Babu Vikramajit Singh:** I agree with the amendment proposed by Mr. Chintamani that the words "Local Government" should be substituted by the word "President." As has been pointed out by my honourable friend Rai Bahadur Lala Mathura Prasad Mehrotra, a mistake was committed in passing the bill for the salary of the President where it was mentioned that he could undertake journeys with the approval of the Local Government. It has been pointed out

[Rai Bahadur Babu Vrkrasmit Singh.]

by the Hon'ble the Finance Member that it did not strike any one at that time to put forward any objection. So far as we remember, that Bill was passed at a time when the Land Revenue Bill was withdrawn by the Government, and probably people were not very much interested in this after the attitude of the Government with regard to the Land Revenue Bill. This might not have been taken notice of at that time. But I think if a mistake had been committed in the excitement of the moment, that mistake should not be perpetuated. It should be remedied now. If the Council is alert today and alive to the fact that the Deputy President should not undertake journeys with the approval of the Local Government, and if it thinks that it should be done only with the permission of the President, in that case probably at an early date we may be able to amend the other Bill as well. I think, Sir, the President is not in any way under the control of the Local Government, and he should be considered to be entirely independent. Being an elected Deputy President of the Council he like, the President, owes his allegiance to nobody else outside the Council. He should be considered to be under the control of the President who is his Chief. Therefore it is but meet and proper that the words "Local Government" should be eliminated from the Bill and the word "President" should be substituted. I do not think that it will at all be derogatory to the Deputy President to undertake journeys with the approval of the President, inasmuch as the President is always considered to be in direct charge of the business of the Council and the Deputy President always acts under his advice and control. Of course it is true that in the absence of the President from the Council Chamber the Deputy President performs the functions of the President, but all the same he is to act with his permission. Therefore, I think, Sir, the amendment moved by Mr. Chintamani seems to me to be the right amendment. I do not quite agree with my friend Lala Nemi Saran that the Deputy President should undertake journeys even without the permission of the President. That, I submit, will be against all procedure which governs various Councils. Therefore I give my whole-hearted support to the amendment moved by Mr. Chintamani.

**Rai Bahadur Babu Mohan Lal:** I also support the amendment moved by Mr. Chintamani. I consider the position of the Deputy President to be analogous to the position of Vice-Presidents of district and municipal boards. They act on the advice of the President and they also exercise the powers which are delegated to them by the President. The word "Deputy" in respect of Deputy President implies that the officer is under the President, and so it is but proper that the latter officer should guide his movements instead of the Local Government.

**The Hon'ble the President:** There are two amendments before the House. One is that in sub-clause (2) of clause 3 for the words "Local Government" the word "President" be substituted, and the other amendment is that for the words "with the previous approval of the Local Government" the words "for any purpose connected with the discharge of his duties within India" be substituted.

**Lala Nemi Saran:** I beg to withdraw my amendment.

*The amendment was, by leave of the Council, withdrawn.*

**The Hon'ble the President :** The only amendment before the House now is that for the words " Local Government " the word " President " be substituted.

*The question that the words " Local Government " do stand part of the Bill was put and negatived.*

*The question that the word " President " be there inserted was then put and agreed to.*

**The Hon'ble Sir Sam O'Donnell :** I beg to move that the United Provinces Deputy President's Salary Bill, as amended by the Council, be passed.

*The motion was put and agreed to.*

### SUPPLEMENTARY ESTIMATES.

**The Hon'ble Sir Sam O'Donnell :** I beg your permission, Sir, to present the supplementary estimates in any order I desire.

**The Hon'ble the President :** The supplementary estimates are not yet before the House formally, and so the Hon'ble the Finance Member is at perfect liberty to move them in any order he likes.

#### GRANT NO. 16. JAILS.

**The Hon'ble Sir Sam O'Donnell :** I beg to report to the Council the recommendation of His Excellency the Governor that under the head Jails a sum of Rs. 28,481 be provided to defray the expenses in connexion with the administration of the Jail department, and to move that this sum be voted.

This is the first of a series of supplementary estimates which we intend to present today or later, aggregating nearly 42 lakhs, and I think, Sir, the Council will agree with me when I say that we are indebted to the Central Government for the large remissions which have made it possible for us to bring forward these supplementary estimates and which have made the financial position of these provinces more satisfactory than it has been since the inception of the Reforms.

**Lala Nemi Saran :** I beg to move that the consideration of this demand be postponed.

**The Hon'ble the President :** Under what rule does the honourable member propose this motion? Is it under paragraph 53 of the manual?

**Lala Nemi Saran :** (*After a pause*) I move this motion under paragraph 53(6) of the Manual of Business and Procedure.

**The Hon'ble the President :** Will the honourable member see a little earlier in this paragraph where it is said that this motion can be moved only with the permission of the President? That not having been done, I rule the motion out of order.

**Lala Nemi Saran :** I plead ignorance.

**The Hon'ble the President :** Ignorance of law is no excuse, as lawyers put it.

**Pandit Govind Ballabh Pant:** May I ask your permission to make a motion under paragraph 53(a) of the Manual of Business and Procedure that the consideration of this demand be postponed?

**The Hon'ble the President:** A similar motion having been moved by the honourable member for Bijpur and having been ruled out of order, the motion cannot be allowed. The honourable member should wait when another demand is moved.

**Pandit Bhagwat Narayan Bhargava:** I beg to move a token reduction of Rs. 100 under the entire head "B—Central jails." The object of my motion, Sir, is to inquire from the Government whether the condition that only those persons who hold certain social rank in ordinary life will be provided with fans or will be accommodated in the particular jails where these fans will be installed applies to Indians or does it apply to European prisoners also? It is said in the memorandum:—"For some years there has been a demand that the use of punkhas in jails should be extended to such Indian prisoners as by social rank in ordinary life are entitled to them, and that the practice of Indian prisoners pulling punkhas for European prisoners should be discontinued. . . ."

**The Hon'ble the President:** This question of fans comes under "Works" and not under the head "Central jails". Under "Central jails" only certain instructors are concerned.

**Pandit Bhagwat Narayan Bhargava:** I am very sorry, Sir, for my mistake. I thought you had called on me to move some other motion of mine. I withdraw the remarks for the present. I want to know from the Government in which particular jails these instructors are going to be employed—whether in any particular jail or in all the central jails? I also want to know what will be the criterion for the Government to decide as to who are the suitable persons? It is said in the memorandum:—"The provision is for the establishment of vocational schools in central jails for instruction in handicrafts to suitable prisoners." Further, I would like to know how many prisoners does the Government intend to place at a time in one class for giving instruction in weaving, dyeing, carpentry and blacksmithy?

**Lala Nemi Saran:** Sir, my motions are not to be found in the agenda paper which is supplied to me.

**The Hon'ble the President:** They might have been received late.

**Lala Nemi Saran:** I have every sympathy with the appointment . . .

**The Hon'ble the President:** I have since been informed by the office that the notice of your motions was received late and consequently they were not included in that portion of the agenda which had gone to press.

**Lala Nemi Saran:** As I was saying, I have every sympathy with the appointment of these instructors in order to teach the prisoners in the Central jail some of the industries, for example, weaving, dyeing, carpentry, etc. But I suggest that there should be some more industries. There are four instructors in weaving, two in carpentry, and two in dyeing. It would be better if instead of four weaving instructors, two of them were to give instructions in weaving and the other two in some

other industries, for instance, calico printing, tailoring, etc. If these two arts were taught to the prisoners, they would be very useful to them when they come out of the jail. I believe that the Hon'ble the Home Member will accept this suggestion.

**Pandit Iqbal Narayan Gurtu :** Instead of my moving a token cut separately, I propose, with your permission, to speak on the present motion. I would like to have some more information from the Hon'ble the Home Member with regard to the scheme of vocational training that Government propose to start in jails. It is a move in the right direction, and I am sure that it will meet with the approval of the House. But I would request the Hon'ble the Home Member to take the House in his confidence and let us know exactly what the scheme of vocational training is in its completeness. I find from the items of new demand that it will be confined to weaving, carpentry, and dyeing. I should like to know whether these are the only three or four industries in which Government propose to give instructions, or is there any complete scheme of vocational training which Government intends to introduce gradually in the jails ?

**Thakur Manjit Singh Rathor :** I am glad to find that the Government are now prepared to consider making reforms in jails. The Council, on more than one occasion, said that it was necessary to introduce vocational training in schools and colleges. The Government have begun reform, from the jails, and it would be better if the jails are made of new type where prisoners who come out of the jail lead a better life. But I want to point out that with the teaching of weaving to prisoners it is also necessary that the prisoners should learn spinning, because unless spinning is learnt by the prisoners, no useful purpose can be served by introducing only weaving, and unless they can produce yarn they will have to buy yarn manufactured by mills. Three years ago I gave notice of a resolution to be moved in this Council, but unfortunately that was never moved on account of want of time. The resolution was that in each division in the central prison arrangements should be made for teaching weaving and spinning to prisoners. I am glad to find that the Hon'ble the Home Member is now prepared to make provision for teaching weaving in four prisons. I hope he will keep my suggestion in his mind regarding spinning and give effect to it as early as he can. With regard to carpentry and blacksmithy, I would point out that it is stated in the explanatory memorandum that instruction will be given in handicrafts to suitable prisoners. The first thing is that as Mr. Bedar once said, there are some habitual prisoners and there are some prisoners who are juvenile inmates of the prison. Those prisoners who are juvenile inmates have more chances, after coming out of the jail, of earning a decent and honourable livelihood than the prisoners who are hardened or who are die-hards and who are never likely to profit by vocational instructions. It will be so much money wasted if such prisoners are given vocational training. It is also necessary that the Government should introduce the system of training prisoners in the three R's. I think the time that is spent in jail will be very well spent if during the period of their incarceration in jail the prisoners are taught reading and writing, because when these prisoners will come out of jail only with the vocational training and without the knowledge of the three R's, the mere acquiring of vocational training will not be useful to them outside. Therefore while the interest is being focussed

[Thakur Manjit Singh Rathor.]

to vocational training, the requirement of ordinary training in reading, writing, and arithmetic should not be ignored. This is all what I have to say in connexion with the motion which is before the House.

**Rai Bahadur Thakur Hanuman Singh:** I rise to add a few words to the debate that is going on in connexion with the training of prisoners in vocational subjects. Sir, I think such training will prove very useful to those who will have the misfortune of being inmates of the central jails. But the provision made in the supplementary estimates is too small. The Government ought to have, in consideration of the usefulness of the scheme which they have framed, made provision for a larger sum than that in the estimates. There are a great many vocations which can be taught in the jails and it will certainly prove beneficial to those who will return after their training in jails. When they will come out from the jails and settle down in honest life, others will learn from them the vocations which they will be taught, and in this way there will be a sort of encouragement to the industries. I may add here that there is much talk about adult education; I am told that it has been very successful in the Punjab. If the Government be pleased to take into consideration the education of those who are imprisoned, I think adult education too will be beneficial to the prisoners. At present it seems that the Government has limited the scheme to central jails only. I am of opinion that if it be introduced in the district jails also, it will be useful to those who are there for a year or so or even for six months, because if they will learn some vocation during their term of imprisonment, it is quite possible that many of them may improve after their coming out of the jail. In this way, instead of pursuing a profession of crime they may think of living an honest life. With these few remarks I beg to resume my seat, and I hope that the suggestions will receive the best attention of the Government.

**Babu Uma Shankar:** By speaking on this motion I want to elicit some information from the Hon'ble the Home Member. There are several central jails, and I do not understand how one blacksmith will be able to go to several central jails and give instruction to the inmates there. Then there are only two carpentry instructors which also I am unable to understand. As regards the four weaving instructors I want to say that there should be at least two to give instruction in religion and morality. As regards the dyeing instructors, the same suggestion that I put before applies whether these two dyeing instructors will be kept in one central jail or they will be divided up, I do not understand. So I think the Hon'ble the Home Member will be able to throw sufficient light on these questions.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I am grateful to the honourable members of this House for giving their approval to this infant scheme of vocational education in the prisons. Different suggestions have been thrown out by different members here which will receive our very best consideration. My honourable friend from Bijnor has made the suggestion that the weavers should be two instead of four. Our partiality in having more weavers than blacksmiths and carpenters may be due to the fact that we were under the impression that if there will be more weavers, perhaps this scheme will be better approved by my honourable friends, but it seems the angle of vision has changed a



little. However, it is open for us to make the change and we will give our best consideration to these things. Some other honourable member asked the question as to which are the jails in which we are going to open these vocational schools. They are as follows :—

Agra	...	...	Weaving and dyeing.
Bareilly	...	...	Carpentry.
Benares	...	...	Weaving.
Fatehgarh	...	...	Weaving.
Allahabad	...	...	Blacksmith and carpentry, and
Lucknow	...	...	Weaving and dyeing.

As the honourable members are well aware this is a scheme in its infancy. I entirely agree with those who have suggested that we ought to spend more money on this, and I hope that this scheme will succeed and from time to time we will be able to come before the House for more money to start vocational schools in the jails. My friend from the University asked me whether we have got any complete scheme for vocational schools in our jails. This is only the beginning, and our intention is that if we succeed we will try to have vocational education in every jail in our province. Our idea is that it is in the interest of the prisoners to enable them to earn an honest living when they go out from the jail, and that is why we want to give them some training either in blacksmithy, carpentry and weaving, and other cottage industries.

My friend, Mr. Uma Shankar, said that instead of four weavers we ought to have two men, and two for religious and moral training. I do not think that comes within vocational training. My idea is that vocational education has got nothing to do with religious training, and that is the reason why I think that this suggestion is out of place under the head of vocational education.

**Lieut. Raja Durga Narayan Singh :** I am glad to find that the Government has undertaken to train prisoners in various central jails in various vocational subjects. I may bring to the notice of the Hon'ble the Home Member that the Fatehgarh Central Jail is one of the biggest jails in the United Provinces. It has been a long-felt desire of the residents of the district of Farrukhabad that a school for printing curtains should be started there. I think this is the most opportune time to start training these prisoners in printing these curtains. In this way the Government will have to spend less amount, and those prisoners who will be trained in this art will either start their own business or go to the Sadhs and earn their own livelihood. If the Government takes this measure up the old paintings of Farrukhabad will be revived to a large extent. I may just bring to the notice of the Government that the curtains of Farrukhabad in the last Wembley Exhibition in London won the first gold medal there, and if the Hon'ble the Home Member will take a little in ascertaining this fact from the District Magistrate of Farrukhabad he will learn that the Sadh community export their goods in large quantities and they are appreciated in the foreign countries.

The other point that I want to say is that if the tent factory is started in the Farrukhabad Central Jail it will also be very beneficial. There are certain tent factories in Fatehgarh, and in my opinion they are getting good profit from the other districts. If this is started in the Central Jail, Farrukhabad, I hope it will be a source of income to the

[Lieut. Raja Durga Narayan Singh.]

jail and the jail will be improved when its financial condition is also improved. I hope the Hon'ble the Home Member will give due consideration to my suggestions.

**Babu Bhagwati Sahai Bedar :** In the first place, I am opposed to any sort of religious education in the jails, because I am sure that it will be imparted by *kathmullahs* and ordinary Pandits, with the result that those very fanatical actions which happen outside the jails will happen in jails as well. If, however, religious education is going to be imparted to prisoners at all the Government should either ask the non-co-operators or those persons who have been in jails and know everything of jails, I mean men having broader religious outlook, to impart religious education or the visitors be entrusted with this responsibility. In case otherwise I do not think that religious education will produce any good result in jails. Sir, appointment of four weaving instructors has been suggested by the Government on Rs. 30—2—40—4—60. I think it a waste of money. An ordinary *julaha* on Rs. 15 per mensem will be quite efficient for the purpose, and thus instead of appointing only four instructors we shall have as many as 16 instructors to teach weaving to prisoners. Again, it is evident that these instructors are not going to teach weaving of very fine quality; they will simply teach weaving of *garha* which is to be consumed by prisoners or cloth to be used for bedding. It is, therefore, unnecessary to waste public funds in employing persons on a pay of Rs. 30 or Rs. 60. Further, a time-scale has been granted to these instructors from the very beginning, i.e., Rs. 30—2—40—4—60. This is curious, inasmuch as a large number of departments under Government are starving for want of time-scale these jail instructors in weaving have been allowed time-scale. Not only that, I think that *moonj* matting is more profitable than weaving. This is a common work generally done by prisoners, and I, too, had been given the same task, and I think that *moonj* matting will be more practical and more paying than weaving. So if weaving instructions are confined to *garha* only it is no use appointing instructors, and I will prefer *moonj* matting over it. If, however, *zim* and *twill* are going to be manufactured in jails for the use of the Military and the Police department, and *surj*, Bhagalpuri, *chikan*, etc., for sale, I think these instructors may be useful; but for the manufacture of *garha* this arrangement is too expensive, and I, therefore, think that so much money should not be spent over these instructors, but ordinary weavers should be employed for the purpose. The Hon'ble the Home Member has not enlightened us regarding the period for which these instructors are going to be employed, and I think that many instructors will not be required in the long run. Only a couple of weaving instructors employed in a central jail will be able to turn out as many as 300 to 400 prisoners of long-term imprisonment as regular weavers. These trained prisoners can afterwards serve as instructors in weaving, and in this we will have at least six instructors in every jail within a short time. I, therefore, want an assurance from the Home Member that this arrangement shall not last long. Now I come to dyeing instructors. This problem is a very difficult one. As has already been pointed out by my friend, Raja Durga Narayan Singh, dyeing is done on a large scale in Farrukhabad, and I believe suitable arrangements will be

made there. When I was in the Benares Central Jail there were as many as 20 prisoners of the dyeing class. Such prisoners can be very well given a little more training by only one instructor, and trained prisoners transferred to different jails can be safely employed for teaching purposes. I do not understand why such high salary as Rs. 40—60 has been provided in the estimates. If the idea of the Government is to employ these instructors for long periods I do think it a sheer waste of money. The idea should be that long-term prisoners, whose terms range between 10 and 20 years, should be taught weaving and dyeing, and then these prisoners should, in their turn, be allowed to teach other prisoners.

Now take the case of carpentry. I do not know what these carpentry instructors will teach. No machinery is likely to be installed in jail, and I do not see any necessity for the employment of these instructors on such a high pay as Rs. 70—2—80. I do not think these so-called experts can excel an ordinary *barhai*. After all, since no machinery or high-class apparatus is going to be used for manufactures in jails and only very ordinary things like *chaukhta* for solitary confinement or box for hand-cuffs, which require no machinery to prepare are to be manufactured, I do not think these instructors who are the out-turn of industrial schools will be of any use. No doubt, these instructors, I mean diploma-holders of industrial schools, are well up in working with the aid of machineries and can teach how to handle a particular machine, but they can never excel an ordinary carpenter who works by means of tools and will therefore defeat the purpose of their appointment.

**The Hon'ble the President:** Does the honourable member propose to omit the whole amount ?

**Babu Bhagwati Sahai Bedar:** I am discussing the policy.

**The Hon'ble the President:** No policy can be discussed under the supplementary estimates. The honourable member, as an old member of the Council, should know that general policies of the department cannot be discussed under supplementary estimates.

**Babu Bhagwati Sahai Bedar:** I wish, Sir, that this money should be employed in right channels instead of as suggested by the Government.

**The Hon'ble the President:** In that case he should have moved for the omission of these items. There is no motion for such omission. It is only a token cut.

**Khan Bahadur Mr. Masud-ul-Hasan:** I move for closure.

**The Hon'ble the President:** The honourable member is still in the midst of his speech and I cannot accept the closure.

**Babu Bhagwati Sahai Bedar:** Regarding blacksmiths...

**The Hon'ble the President:** I hope the honourable member will avoid discussing the policy. If there is anything else I am prepared to hear it.

**Babu Bhagwati Sahai Bedar:** These blacksmiths should be asked to prepare more useful utensils than *taslas* and *katoris*, and for this reason I submit that the practice for employing all blacksmiths in preparing *taslas* and *katoris* should be stopped. *Taslas* and *katoris* should be prepared only by those blacksmith prisoners who are new. Old prisoners

[Babu Bhagwati Sahai Bedar.]

should not be allowed to go on manufacturing *taslas* and *katoris*, but should be instructed in manufacturing better articles. For the present blacksmiths are employed in manufacturing fetters, cross-fetters, and bar-fetters. I wish that their time should not be wasted in preparing fetters. Again, Sir, in jails the bars in the small windows are ordinarily weak and sometimes prisoners escape through those bars by pulling them up. I will, therefore, like that strong iron should be used for preparing these bars, and these instructors should be asked to produce better designs of bars. In the year 1924 there was about twenty thousand worth of iron in the Lucknow Central Prison. It was not properly used, a major portion of it was auctioned, and the rest was simply wasted in making *taslas* and *katoris*. I think better use could have been made of this iron. I wish to point out to the Hon'ble the Home Member that surplus iron these days in jails should be employed for better purposes, and not used in preparing fetters, cross-fetters, *taslas*, and *katoris*, etc.

**Khan Bahadur Mr. Masud-ul-Hasan:** Is the honourable member in order in discussing all this, Sir?

**The Hon'ble the President:** The honourable member forgets that he has been in jail and he cannot forget his experiences there. I hope the honourable member will be more relevant now than he has been before.

**Babu Bhagwati Sahai Bedar:** Sir, there is a tendency on the other side to interrupt me in this way so that I may not be able to discuss these matters of vital public importance.

**The Hon'ble the President:** I think the honourable member should fly away from the central jail now.

**Babu Bhagwati Sahai Bedar:** I will finish my speech soon. In the end I will point out to the Hon'ble the Home Member that weaving instructors should be ordinary weavers on less salary, and dyeing instructors should be only those persons who have passed through the Cawnpore school. Carpentry instructors should not be those who have passed from the Bareilly school, but they should be appointed from among those persons whose profession it is to work as carpenters. In connexion with blacksmiths I have to say that their tools, other equipments, etc., should be purchased in India, and they should be instructed in a manner that they may be able to manufacture better things than these *taslas* and *katoris*.

**Khan Bahadur Mr. Masud-ul-Hasan:** I move for closure.

*The motion that the question be now put was put and the House divided as below:—*

*Ayes, 52; Noes, 42.*

*Ayes.*

The Hon'ble Sir Sam O'Donnell.  
The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Balli.  
The Hon'ble Thakur Rajendra Singh.  
The Hon'ble Nawab Muhammad Yusuf.  
Mr. G. B. Lambert.  
Mr. E. A. H. Blunt.

Kunwar Jagdish Prasad.  
Sir Ivo Elliott.  
Mr. P. H. Tiliard.  
Mr. H. A. Lane.  
Mr. R. L. Yorke.  
Mr. A. W. Finn.  
Mr. A. W. McNair.  
Khan Bahadur Chaudhri Wajid Husain.

*Ages.*

Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Mirza Muhammad Sajjad Ali Khan.  
 Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Thakur Pratap Bhan Singh.  
 Thakur Bikram Singh.  
 Thakur Hukum Singh.  
 Raja Kushal Pal Singh.  
 Lieut. Raja Kali Charan Misra.  
 Rai Bahadur Babu Abhinandan Prasad.  
 Sirdar Nihal Singh.  
 Rai Bahadur Babu Mohan Lal.  
 Kunwar Surendra Pratap Sahi.  
 Mr. Zahir Ahmad.  
 Haji Abdul Qayum.

Lieut. Nawab Jamshed Ali Khan.  
 Nawabzada Muhammad Liaqat Ali Khan.  
 Lieut. Khan Bahadur Nawabzada Abdus Sami Khan.  
 Maulvi Muhammad Obaid-ur-Rahman Khan.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Maulvi Saiyid Habib-ullah.  
 Dr. Shafa'at Ahmad Khan.  
 Khan Bahadur Saiyid Jafar Husain.  
 Khan Bahadur Shaikh Saiyid Muhammad alias Maiku Mian.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Shaikh Mubarramat Habib-ullah.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Chaudhri Niamat-ullah.  
 Mr. St. George H. S. Jackson.  
 Kunwar Bisheshwar Dayal Seth.  
 Mr. E. M. Souter.  
 Mr. J. P. Srivastava.

*Noes.*

Sri Ganesh Shankar Vidyarthi.  
 Mr. A. P. Dube.  
 Pandit Rahas Bihari Tiwari.  
 Babu Sampurnanand.  
 • Babu Bhagwati Sahai Bedar.  
 Thakur Manjit Singh Rathor.  
 Chaudhri Vijai Pal Singh.  
 Chaudhri Dharamvir Singh.  
 Pandit Nanak Chand.  
 Thakur Manak Singh.  
 Rao Krishna Pal Singh.  
 Lala Nemi Saran.  
 Chaudhri Badan Singh.  
 Thakur Sadho Singh.  
 Pandit Brijnandan Prasad Misra.  
 Pandit Bhagwat Narayan Bhargava.  
 Rao Udaibir Singh.  
 Babu Kishori Prasad.  
 Lieut. Raja Durga Narayan Singh.  
 Pandit Deota Prasad.  
 Babu Shyam Lal.  
 Babu Uma Shankar.

Pandit Venkatesh Narayan Tiwari.  
 Babu Kavendra Narayan Singh.  
 Thakur Shiva Shankar Singh.  
 Rai Bahadur Thakur Hanuman Singh.  
 Bhaya Hanumat Prasad Singh.  
 Babu Ganga Prasad Roy.  
 Pandit Govind Ballabh Pant.  
 Pandit Badri Dutt Pande.  
 Mr. Mukandi Lal.  
 Raja Bahadur Bishwanath Saran Singh.  
 Rai Bahadur Pandit Sankata Prasad Bajpai.  
 Mr. C. Y. Chintamani.  
 Saiyid Tufail Ahmad.  
 Hafiz Muhammad Ibrahim.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Khwaja Khalil Ahmad Shah.  
 Rai Bahadur Lala Mathura Prasad Mehrotra.  
 Raja Jagannath Bakhsh Singh.  
 Rai Bahadur Babu Vikramjit Singh.  
 Pandit Iqbal Narayan Gurtu.

**Pandit Bhagwat Narayan Bhargava :** In moving my motion I had put a particular question to the Hon'ble the Home Member which I regarded as of some importance, and it has not been replied to. The information which I wanted from the Government was how many prisoners will be taken by one instructor at a time? The object was whether so much money, that is, Rs. 8,000, is going to be spent on a small number of prisoners in order to give them instruction, does the Government want that each instructor should take five or ten prisoners at a time as is done in vocational schools at the present time? Government is making provision for nine instructors. Of course, it has been made clear by the Hon'ble Home Member that the blacksmith class would be opened only in one jail, which means that there will be only one instructor for one particular industry in that jail. I think if there is only one instructor he will not be able to take quite a good number of prisoners. So if you employ one man on Rs. 60 to 80 a month simply to give instruction to a few prisoners the money will not be well spent. The same remark applies to other industries as well. Then the Hon'ble

[Pandit Bhagwat Narayan Bhargava.]

the Home Member thinks that spinning is not an industry of such importance as may be made part of the instruction in these jails. I think, Sir, the suggestion made by the honourable member for Dehra Dun ought to have received due consideration from Government. When they want prisoners to learn weaving I think it is a matter of equal importance that they ought to be knowing spinning because I think before a person learns the work of weaving it is important that he should get instruction first in spinning. Simply because spinning has been in some quarters regarded as a hobby of non-cooperators, or of the Congress that is not a reason why Government should disregard that suggestion. Apart from all controversial questions, spinning has got its own importance for poor India. If the Government does not want to increase the expenditure under this sub-head it can very well decrease the number of weaving masters to two and employ two persons for teaching spinning instead. I hope the Hon'ble the Home Member will be ready to give information which I originally wanted and have asked for again, and I hope he will also give his opinion whether he attaches any importance to the useful suggestion made as regards spinning.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** I can assure the honourable member that every instructor will take as many pupils as he possibly can. He need not be afraid that public money will be wasted. As to the other points my reply is exactly what I said just now that it is an infant scheme, and it is not possible to embody all suggestions in this scheme, but as it develops everything which can be usefully added will be added. Let us, first, start with this money, and next year we will be in a position to show the results of our experiment in the jails.

**The Hon'ble the President** ascertained from the mover what the issue was before the House, and then said: "The issue before the House is to have the opinion of the House whether or not spinning should be added as a subject for instruction in central jails.

*The motion was put and the House divided as below:—*

*Ayes, 50; Noes, 41.*

*Ayes.*

Sri Ganesh Shankar Vidyarthi,  
Mr. A. P. Dube,  
Pandit Babas Bihari Tiwari,  
Babu Sampurnanand,  
Babu Bhagwat Sahai Badar,  
Thakur Manjit Singh Rathor,  
Chaudhri Virji Pal Singh,  
Chaudhri Dharanvir Singh,  
Pandit Nanak Chand,  
Thakur Munak Singh,  
Thakur Hukum Singh,  
Rao Krishna Pal Singh,  
Late Nemi Saran,  
Chaudhri Badan Singh,  
Thakur Sadho Singh,  
Pandit Brijnandan Prasad Misra,  
Pandit Bhagwat Narayan Bhargava,  
Rao Udayit Singh,  
Babu Kishori Prasad,  
Lieut. Raja Durga Narayan Singh,  
Pandit Deola Prasad.

Babu Shyam Lal,  
Babu Uma Shankar,  
Pandit Venkatesh Narayan Tiwari,  
Babu Ravendra Narayan Singh,  
Thakur Shiva Shankar Singh,  
Rai Bahadur Thakur Hanuman Singh,  
Bhaya Hanumat Prasad Singh,  
Babu Ganga Prasad Roy,  
Pandit Govind Ballabh Pant,  
Pandit Badri Dutt Pando,  
Mr. Makandi Lal,  
Sirdar Nihal Singh,  
Raja Bahadur Bishwanath Saran Singh,  
Rai Bahadur Babu Moban Lal,  
Rai Bahadur Pandit Sankata Prasad Bajpai,  
Mr. C. Y. Chintamani,  
Saiyid Tufail Ahmad,  
Nawabzada Muhammad Liaquat Ali Khan,  
Rafiz Muhammad Ibrahim,  
Maulvi Muhammad Obaid-ur-Rahman Khan,  
Dr. Shafa'at Ahmad Khan.

*Ayes.*

Khan Bahadur Shaikh Saiyid Muhammad,  
*alias* Maiku Mian.  
 Khan Bahadur Maulvi Fasih-ud-din.  
 Khwaja Khalil Ahmad Shah.  
 Shaikh Muhammad Habib-ullah.

Rai Bahadur Lala Mathura Prasad Mehrotra,  
 Kunwar Bisheshwar Dayal Seth.  
 Raja Jagannath Bakhsh Singh.  
 Rai Bahadur Babu Vikramajit Singh.

*Noes.*

The Hon'ble Sir Sam O'Donnell.  
 The Hon'ble Rai Rajeshwar Bali.  
 The Hon'ble Thakur Rajendra Singh.  
 The Hon'ble Nawab Muhammad Yusuf.  
 Mr. G. B. Lambert.  
 Mr. E. A. H. Blunt.  
 Kunwar Jagdish Prasad.  
 Sir Ivo Elliott.  
 Mr. P. H. Tiltard.  
 Mr. H. A. Lane.  
 Mr. R. L. Yorke.  
 Mr. A. W. Pim.  
 Mr. A. W. McNair.  
 Khan Bahadur Ohaudhri Wajid Husain.  
 Mr. E. L. Norton.  
 Mr. F. F. R. Channer.  
 Mr. R. J. S. Dodd.  
 Lieut.-Col. R. F. Baird.  
 Mr. A. H. Mackenzie.  
 Mr. G. Clarke.  
 Mirza Muhammad Sajjad Ali Khan.

Khan Bahadur Mr. Masud-ul-Hasan.  
 Mr. E. Ahmad Shah.  
 Thakur Pratap Bhan Singh.  
 Thakur Bikram Singh.  
 Raja Kushal Pal Singh.  
 Rai Bahadur Bibu Abhainandan Prasad.  
 Kunwar Surendra Pratap Sahi.  
 Haji Abdul Qayum.  
 Maulvi Zahur-ud-din.  
 Lieut. Nawab Jamshed Ali Khan.  
 Lieut. Khan Bahadur Nawabzadi Abdus Sami Khan.  
 Khan Bahadur Hafiz Hidayat Husain.  
 Maulvi Saiyid Habib-ullah.  
 Khan Bahadur Saiyid Jafar Husain.  
 Khan Bahadur Hakim Mahbub Ali Khan.  
 Raja Saiyid Ahmad Ali Khan Alvi.  
 Chaudhri Niamat-ullah.  
 Mr. St. George H. S. Jackson.  
 Mr. E. M. Souter.  
 Mr. J. P. Srivastava.

**Pandit Brijanandan Prasad Misra:** I beg to move a substantive reduction by Rs. 2,856 of item concerning pay of officers and establishment under sub-head "C—District Jails."

In moving this reduction I beg to say at the outset that I have every sympathy with those who might be under the care of Government in the jails. I am not a hard-hearted man so as to be absolutely regardless of the difficulty which the tuberculosis prisoners are subject to, but at the same time wheresoever a question of public funds is involved it ought to be our business to see to the utmost of our vigilance that public money is not spent in a useless way. And in considering this question with that view we ought to see whether the proposal of the Government which involves this expenditure is really in the interest of the poor prisoners, or it would be beneficial only to the medical officers who are to be appointed under the present scheme.

The segregation of prisoners affected by tuberculosis in the district jail of Sultanpur is a thing that has been taking place for some years past; and, in regard to the arrangements of the staff there, I think that no complaint of any kind has been brought to our notice by the Government saying that the arrangement has not been working well. The arrangement in the jail, as it stands today, is that the real supervision of the jail is in the hands of the Civil Surgeon of that district, and there is a special tuberculosis officer who works under him. This arrangement, I submit again, has been working satisfactorily in so far as it is possible for it to work. I might, however, say that I do not know much about the circumstances and conditions of that jail, I do not know what peculiarities Sultanpur has got, climatically or otherwise, on account of which it has been selected for the segregation of tuberculosis prisoners. In view of this I do not know why additional expenditure of this kind should be incurred. The number of prisoners

[Pandit Brijmandan Prasad Misra.]

affected by tuberculosis cannot, in the very nature of the case, be very large, and where, on one hand, it is advisable that they must necessarily be segregated in one place in view of the protection of general health of the other prisoners who may be affected if tuberculosis prisoners are kept in every jail. The number of such men, however, being small it is unnecessary that there should be a very large staff for looking after the health of these prisoners. The arrangement by which we have one special medical officer has been working smoothly, and, so long it has not been necessary that an additional sum of money should be provided for this man for increase of pay, and that being so, I cannot understand why, when there is no increase in the number of prisoners themselves, there should be a necessity for a further addition of another compounder and one other medical officer. As I have stated, I cannot think of any peculiarity in the climate of Sultanpur on account of which this particular place should be selected for the segregation of tuberculosis prisoners. If, in fact, it is desired by Government that these prisoners should be there not only for segregation purposes, but should also get an opportunity of getting treatment, it would have been more desirable and humane on the part of Government if they had sent them away to some sanatorium, and the money proposed to be spent on the Sultanpur jail could have been better utilized if these prisoners are given that amount for being sent to the sanatorium at Blowali, or at some other place in cases where release might not be considered safe in view of the crime and antecedents of the prisoners. I think the heat of Sultanpur is notoriously bad, and it is certainly not a cool place. I do not think it will be of help in the treatment of tuberculosis patients. I myself have known a Sultanpur jail case. There was a prisoner from my district in the Sultanpur jail. He was suffering from tuberculosis and was kept in that jail for some time. Even after the treatment there he began to grow worse every day with the result that I brought his case to the notice of the Government and ultimately he was released. In the circumstances I would advise the Government to let the present arrangement continue, because the new change would not only entail additional expenditure, but also necessitate the construction of a house for the special medical officer which is estimated to cost Rs. 12,500. After we have passed the budget the Government should not think that the money which they got on account of the remission of the provincial contribution could be spent for purposes good, bad and indifferent. That money is our own and ought to be spent carefully. I would submit that if it is for the purpose of only a small number of prisoners affected with tuberculosis it would be much better that segregation should continue to take place and these prisoners may be put in some sanatorium where there is hope of their health improving. This may result in their being saved from the clutches of this disease. With these few words I beg to appeal to the Council that they may be pleased to pass the reduction proposed by me.

*At this stage the Council adjourned for lunch.*

*After the recess—*

**Thakur Manjit Singh Rathor :** I congratulate the honourable member for Pilibhit on the point which he has made out in connexion with the tuberculosis jail hospital at Sultanpur. I am personally very



anxious that prisoners suffering from this fell disease are not only segregated, but are given the greatest care and attention. At the same time I desire that prisoners suffering from tuberculosis are set at liberty, because to my mind it is impossible for them to recoup their health and to get rid of this fatal disease while in jail. The Government of Bengal the other day thought it fit to make an offer of release to Mr. Sobhas Chandra Bose, who developed tuberculosis during his imprisonment. They have also offered him facilities to recoup his health either in India or in Europe—especially in Switzerland. Exactly the same attitude I want this Government to take in respect of tuberculosis prisoners, and I would urge them to release these prisoners with the least possible delay.

Further, I should like to inquire why the Government have selected Sultanpur of all the districts in the United Provinces for the sanatorium of tuberculosis prisoners. Does Sultanpur possess a salubrious climate? What are its altitude and average temperature? Does Sultanpur possess the same qualities for which Almora and Bhowali are known? If not, why has it been selected for the benefit of consumptive prisoners? I recommended, about two years ago, the transfer of one prisoner from the Dehra Dun jail to Almora—I mean Shaukat Usmani, who was convicted in connexion with that notorious Bolshevik conspiracy case at Cawnpore. I did not recommend for his release I may say, for I did not want the Hon'ble the Home Member to misunderstand me to be in sympathy with Bolshevism. I was told that after some time he would be transferred to Sultanpur. I was not satisfied with this answer of the Government, as I failed to realize why Sultanpur was considered a place where the consumptives might profit by the change of climate.

My second point is that I wish to know how much money is spent on each prisoner in the Sultanpur jail. My object in eliciting this information is to find out whether the Government spend on these tubercular prisoners just the same as they spend on ordinary European prisoners. So far as I know the Government spend Rs. 24-4-0 on each ordinary European prisoner, and only Rs. 4 on an Indian.

**Mr. R. L. Yorke :** The honourable member's figures are completely wrong.

**Thakur Manjit Singh Rathor :** I am quoting these figures from memory. There might be a difference of a few annas. My whole point is that the Government spend much more on European prisoners than what they do even on the inmates of the Sultanpur jail.

The Government spend much more upon European prisoners' diet, clothing, etc. How much do they spend on the inmates of the Sultanpur jail?

The third point upon which I want light, is what is the percentage of recovery among prisoners who are sent to Sultanpur? How many such prisoners were sent to the Sultanpur jail during the last five years? How many of them made progress, and what was the rate of progress? How many prisoners were released from the jail who had completely recovered from consumption? If the answers to these questions are not satisfactory then I would stick to my suggestion that either such a prisoner should be set at liberty or else, if he is considered to be a danger to the society, he should be sent to Bhowali or Almora. The point that I want to press is that Sultanpur is not

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a healthy place, and the jail for tuberculosis prisoners should be located not there, but either at Almora or Bhowali. If it were a healthy place the Government themselves would make an exodus to that place, and not to the hills. It is the duty of the Government to locate the jail at such a place where the prisoners might be given the best of treatment. Unless they are given the best of food, the best of nourishment, and the best possible recreation, it is very probable that most of them will either be reduced to a skeleton like Seth Damodar Das or be transferred to another world, where they might begin a new life. With these words I support the motion.

**Rai Bahadur Babu Vikramajit Singh :** It is a very humane policy of the Government to make provision for a special treatment of those prisoners who suffer from tuberculosis; but the question is whether the Government have selected the right place for the tuberculosis treatment of the prisoners in jails. My friend Thakur Manjit Singh Rathor who had never visited Sultanpur, put a number of questions about Sultanpur; but I have had the privilege of seeing the place. I saw it in the hot weather, and I may tell the House that it is one of the worst places in the United Provinces. In the hot weather hot winds blow and the place is very dusty. There seems nothing charming or attractive about the place. It has no electric light or fan, and there is no suitable water-supply. I do not think that from any point of view Sultanpur could be selected as a place where the prisoners suffering from tuberculosis should go for treatment. Another point, that has been raised by my friend Thakur Manjit Singh Rathor deserves consideration. The disease of tuberculosis is known to be a fatal one, and even those people who spend thousands of rupees by going to Bhowali, Almora, Solon, Kasauli, or Dharampur, for treatment do not always survive. The recovery among the tuberculosis patients is very small. Everyone knows that such patients want good air, good nourishment, and freedom of action. If you keep a tuberculosis patient in jail you might give him any amount of medicines, but he is not likely to improve in such surroundings.

Ask any allopathic doctor whether medicines do any good. They give injections and use other means to give relief to tuberculosis prisoners, but they often do not prove to be cures. Whenever the Government discovers that a certain prisoner is suffering from tuberculosis, the best course is to let him go, because there is small chance of his recovery, and it is no use hastening his death. It is much better to allow him to go back to his relations and friends than to keep him in jail. I do not think that he can be at all harmful to the society after he has suffered from a disease of that nature. But in case the Government considers that any prisoner is of a violent character, and setting him free will not be conducive to the benefit of the society, then it is absolutely necessary to have a tuberculosis hospital for prisoners in a hilly place where there are a number of pine trees, which place is considered to be the only cure for tuberculosis. It is no use sending a tuberculosis prisoner to Sultanpur jail, where Government is attempting to spend a lot of money in building quarters and other things. This place has got no attractions and can do no good to a man who is suffering from tuberculosis. Therefore, there

can be no hesitation on the part of Government either to accept the principle that, whenever it discovers that a man is suffering from tuberculosis he should be set free, or to have a tuberculosis jail at Almora, where the patient would have a better chance of saving his life. I find that the Government are making some provision for electric lights and fans for European prisoners. I do not know whether the principle which the Government has enunciated in the Jail Manual applies to all classes of prisoners. It is said that hard labour of a troublesome kind is given to the prisoners to make them feel that they are within the four walls of the prison and that they should dread to commit offences in future. But this is only in the case of Indian prisoners. As regards European prisoners, we find that, although they commit the same offence, they are treated differently, for instance they are given the benefit of electric lights and fans with no labour of an irksome nature. Indian prisoners are on the other hand, not only deprived of this benefit, but are made to work on oil mills and flour mills. To my mind there ought to be no differentiation at all in the treatment of Indian and European prisoners, because after all both commit similar offences. You cannot make differentiation in the prison between members of various races because it is a punishment for breaking the law. A man who understands the law better than an ignorant man cannot have luxuries in jail and be treated better. If it is desirable to give comfort to prisoners, then the Indian prisoners should also receive the same consideration. If it is not so intended then all the prisoners should be punished and treated alike.

**Pandit Nanak Chand :** I would just like the Hon'ble the Home Member to enlighten the House as to what are the arrangements for these unfortunate prisoners who are accommodated in the tuberculosis ward of the Sultanpur jail. The previous speakers have already alluded to the climate of the Sultanpur sanatorium which the Government discovered for these unfortunate prisoners. If there is anything which is not known to this House, and which is, perhaps, confined in the repositories of the Government Secretariat, I hope the Hon'ble the Home Member will enlighten the House as to the special climatic features of Sultanpur. He will, I have no doubt, let us know as to what is the maximum accommodation for such unfortunate prisoners who have to remain there. I want to know further as to whether the prisoners who are sent there are prisoners who were affected with this malady at the time of their term of imprisonment or whether it was due to the hard and insanitary life that they are made to live in the jails, and whether they in the majority of cases contracted this fell disease while in jail. I would further like to know from him as to what arrangement the Government have made for the treatment, residence, and accommodation of European prisoners suffering from this disease. Is there any special ward at Sultanpur for European prisoners suffering from tuberculosis? If not, what is the special treatment meted out to them? Are they, when detected suffering from this disease, released, or are they sent to some sanatorium? If they are released, then why not mete out the same identical treatment to Indian prisoners suffering from that disease? If they are sent to some hill station or to some sanatorium, then I ask why should not the same treatment be accorded to Indian prisoners? Of course, we are on the floor of this House accustomed to hear sermons from our leader of the House that the Government is above racial considerations. The Government does not make any differentiation

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upon racial considerations and so on. There was one question put by my friend Pandit Ganesh Shankar Vidyarthi, question No. 116, in reply to which we find this information laid on the table that on the dietary charges of European prisoners the Government is spending Rs. 20-10-0 per month which comes to Rs. 247 8-0 per annum. Add to this Rs. 12-2-0 for clothing, the total comes to Rs. 258-10-0 for one year on the clothing and dietary of a European prisoner. The charges that are spent on an Indian prisoner are:—Rs. 4-1-0 per month dietary charges and Rs. 5-3-0 clothing charges, the total comes to Rs. 53-15-0, that is, the ratio of expenditure for European and Indian comes to 5 to 1.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** May I ask if the discussion on dietary is relevant in connexion with this motion ?

**The Hon'ble the President :** I was patiently listening to find out the relevancy of these remarks.

**Pandit Nanak Chand :** I am only developing my arguments. I was asking the Hon'ble the Home Member what treatment the Government accords to a European prisoner who suffers from this disease, and I wanted to show to the House that in the matter of diet and clothing certain differences prevail and that Government shows extra courtesy to these gentlemen who are admitted to His Majesty's restaurants misnamed jails for them where they are provided with fans. Even an ordinary European who has no fan or electric light in his home is provided with a *punkha* and it is now proposed to supply him with electric light, and when this irregularity is pointed out it is then said that their mode of life requires it. I insist that the considerations of humanity, the necessity of life, require that patients suffering from tuberculosis, whether they are Indians or Europeans, ought to be set free. They ought to be allowed freedom of movement, and freedom of life, so that they might try to escape death by undergoing satisfactory treatment, and, if this cannot be done, they ought to be treated at the expense of the State in sanatoriums and they should not be kept in jails so long as they suffer from this disease.

**Pandit Iqbal Narayan Gurtu :** May I speak on this motion instead of my motion No. 139 ?

**The Hon'ble the President :** Yes, so far as it is relevant of course.

**Pandit Iqbal Narayan Gurtu :** I think I will not be irrelevant. I hope I shall not be judged before I am tried.

Several honourable members have taken objection to the Sultanpur jail as a suitable place for convicts who are suffering from tuberculosis. I think the objections raised are very sound. My honourable friend Babu Vikramajit Singh said that there was nothing interesting in Sultanpur. The only time I have ever been to Sultanpur was a few months ago in connexion with my election, and I must confess that I did not find any interesting objects in that place except the few graduates who were good enough to vote for me. I, therefore, join my other friends in condemning Sultanpur as a suitable place for tuberculosis patients. But I have other difficulties besides those pointed out by other honourable members. I find that the arrangement the Government proposes to make is to have a provincial service man to look after this jail, which in

future is not to be regarded as a jail, but as a jail hospital. I do not find that the Government have made any reduction in the amount that they have been paying hitherto to the civil surgeon as the superintendent of the jail. I understand that they propose now to have a provincial service man in place of the civil surgeon to look after this hospital. If that be so, then the allowance that has been paid hitherto to the civil surgeon as superintendent of the jail must no more be given to him and should be deducted. This I find has not been stated anywhere. This is my first objection.

My second objection is that I do not see why it is necessary to give such a large amount as an additional Rs. 250 as monthly allowance to the provincial service man who will be there. I have no objection to some allowance being given to this man, but it seems to me that an allowance of Rs. 250 a month is much too high and surely economies could be effected there. Government can certainly economize in two directions : firstly, it can give a lower scale of allowance to this man whom they propose to have there, secondly they ought to be able to save the allowance which they used to give to the civil surgeon.

**The Hon'ble Sir Sam O'Donnell :** We have said so.

**Pandit Iqbal Narayan Gurtu :** At any rate in the note that has been prepared I find that no such reduction has been expressly stated.

**Khan Bahadur Hafiz Hidayat Husain :** This being my first speech in the supplementary estimates, I wish to emphasize the feeling of discontent that is being felt by the non-official members for the absolutely short time that has been allowed to them for the discussion of these estimates. I speak only to ask a few questions. The first is whether these supplementary estimates were submitted to the Finance Committee, were they passed by that Committee and if so, when? With regard to the particular point under discussion, I wish to find out if any of the prisoners located in the Sultanpur jail have recovered and if so, what is the proportion of the recovery. Then I want to find out up to what stage is the disease allowed to proceed before a prisoner is let out of jail, and thirdly, I want to find out when a man is to be let out, is his case submitted to any Medical Board for the examination of the patient. I ask this later question because I know of at least one instance in which a man located in the Sultanpur jail has been let off on the ground that he was suffering from this disease and was not expected to recover. But nearly two years have passed and the man is hale and hearty, and if the report is to be believed, he was never a victim of the disease. Then the last question I wish to ask is, what is the accommodation of this jail, what is the recreation, what is the form of labour, if any, for the prisoners, what diet is being proposed for them, or will they have to live on the ordinary diet of the ordinary prisoners.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Instead of moving my own motion, No. 13, I would like to speak upon the motion under discussion. One very important question has been asked by my friend Hafiz Hidayat Husain whether this particular scheme was referred to the Finance Committee or not. We would be glad to know from the Hon'ble the Home Member whether it was passed by the Finance Committee or not.

**The Hon'ble the President :** I do not think that the Hon'ble the Home Member can be permitted to say whether it was passed by the Finance Committee. Of course, it would be permissible for him to say whether it was laid before the Finance Committee or not.

**Rai Bahadur Lala Mathura Prasad Mehrotra :** Then the second point that I want to inquire from the Hon'ble the Home Member is how he has been able to select Sultanpur. As far as I know, there is no advisory committee in the department under discussion—I mean the jails. Has he consulted any expert, or has he himself visited Sultanpur and liked the place? As far as I know, Sultanpur is not at all a suitable place. I have been there some half-a-dozen times in connexion with my election campaign and I never found any peculiarity in Sultanpur. The prisoners suffering from tuberculosis ought to be sent to some hill station, as has been suggested by several honourable members; and, if the Government want to spend money, they should spend it in the right direction. They should make use of the tax-payer's money and should not abuse it. The money that they are going to spend in building a hospital in the Sultanpur jail is an abuse rather than a use. They should certainly establish such a hospital at some hill station, where they can very well send prisoners suffering from tuberculosis; it is more of the climate that affects such patients than anything else. I agree with the remarks of my friend Mr. Rather when he said that prisoners suffering from tuberculosis, whether they are Indians or Europeans, should be set free. It is very difficult for the man who contracts this fell disease to recover perfectly and so in the name of humanity he should be given absolute freedom to treat himself in any way he likes. If Government feels for them, they must feel in the right sense and they should send them to a hill station. I, therefore, oppose any such hospital being built at Sultanpur, and I heartily support the motion before the House.

**The Hon'ble the President :** I mean no reflection on any honourable member here, but I would certainly request that honourable members while making their points should, as far as possible, avoid arguments which have been repeated or advanced by others. It has been a well-known practice of this House, and I would request honourable members, as far as possible of course, to desist from advancing the same arguments that have been advanced by other speakers.

**Pandit Bhagwat Narayan Bhargava :** In keeping with your suggestion I shall be very brief and will refer to only certain important points which have not been touched by the previous speakers. To my mind, it appears that the Government has got some novel definition of the word 'efficiency' in every department. They think that the greater the expenditure, the larger the number of officers, the greater the efficiency. They regard it as a necessary corollary, i.e. they think that if the expenditure is increased efficiency will also increase. In paragraph 2 of the memorandum it is said that for more efficient discharge of the work it is regarded necessary that the staff should be increased and that, in order to make the post of the medical officer more attractive, a special allowance of Rs. 250 is being given. The issue before the House is very clear. We have to see whether it is borne out by our past experience that the Sultanpur jail has at all proved beneficial to the patients suffering from tuberculosis. What we find is this, that the number of patients who are

cured of this disease in Sultanpur jail is very low. I will tell you, Sir, that in the year 1925, 85 patients were admitted into this jail as suffering from this disease and out of these 85 only 20 patients were discharged as cured which means that about 65 prisoners who were admitted to that jail could not be cured of that disease. Then, Sir, if we take into account the total number of prisoners suffering from this disease in all the jails, the number of prisoners who were cured and that of those who died, the necessary conclusion will be that the Sultanpur jail is not at all suitable for these patients. The total number of prisoners who suffered from this disease in the year 1925 was 224 and out of this number there were 63 deaths. In the year 1924 the total admission on account of this disease was 315, out of which there were 62 deaths. This shows that the proportion of deaths now to the number of admissions has increased very much. If we bear in mind the fact that in the Sultanpur jail itself there were as many as 65 prisoners who could not be cured and if we also take into account the total number of patients in all the jails in the United Provinces who could not be cured, the result will be deplorable indeed. These figures show that the Sultanpur jail has not got any speciality attached to it particularly in connexion with the tuberculosis disease. I think, Sir, the Government's intention is to make this jail a tuberculosis hospital so that more patients should be cured and the number of deaths should decrease. If this is the idea, then I should think that it would be much better if some other jail or some other locality is selected for keeping these patients, where they might get one advantage of the climate of that place in order to be cured. I am personally not acquainted with Sultanpur, but what I have heard from other honourable members who have visited the place leads me to conclude that Sultanpur should be abandoned. It is up to the Government to explain very fully why they have selected this jail. It is from their own reports that we find that the climate of that place is not at all suited to the treatment of those patients who suffer from this disease.

**Pandit Badri Dutt Pande :** I had no intention of intervening in this debate, but as Almora has been mentioned more than once and as I come from Almora, I shall be failing in my duty if I would not say a few words in regard to it. I would welcome anybody who goes there to breathe the free air of the mountains and even if one soul is saved we would be doing a public duty. I would, however, point out that there is very little accommodation available in Almora and if one or two more wards are added there, a few patients could be accommodated. Then, there is the scarcity of water-supply and an application has been sent to the Department of Public Health, and if they allow more water-supply, more patients could be taken in. Of course, the hill climate is very good, but there is the scarcity of water-supply. Another aspect of the case is to allow these tuberculosis prisoners to be set at liberty.

When I myself was in the Lucknow jail during the non-co-operation days, the temperature was 117°; for a hill-man it was tremendously unbearable. My friend, Mr. Andrews, that noble Englishman, wrote in the papers about me because he had been to Almora and he knew me. He wrote that I might get tuberculosis, but our friend Col. Clements would not let me go. After two months' fighting I was allowed to go. So I know what it is to live in a hot climate during these months. When

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such was the case of persons of our status, who had friends to back us, what would be the fate of poor helpless prisoners?

I may bring another case to the notice of the Hon'ble the Home Member. One of my assistant editors was sent to prison for something which looked nasty to the Government about forests. He got tuberculosis in Almora jail itself. I am a Pande; by chance the civil surgeon of Almora was also Pande; and that assistant editor, Durga Dutt, was also a Pande. It was thought that we three Pandes were conspiring to get that Pande released, and so that man was not let off. Afterwards the Inspector-General wired to Dr Kacker to go and see and break the conspiracy of the three Pandes. Dr. Kacker came after two months and then the poor fellow was released. It took him nine months to get himself cured of this fell disease.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** When?

**Pandit Badri Dutt Pande:** In the year 1924-25, I believe. I think the matter came before this House and was discussed here. The poor fellow was rotting in the jail with 102 temperature. So I think we ought to take a more lenient view. The Hon'ble the Home Member would be flourishing his moustache at me, but I would advise him to take a more lenient view and set such persons free. For nine months he could not do anything and it was only by miracle that he escaped from this fell disease with the help of Dr. Kacker and Dr. Pande. If these two gentlemen had not been available, the poor man would have died. Hills can cure only those persons who are in the primary stage of the disease, but when the second stage is reached, nothing can cure the patients. If you send people to the hills when you suspect tuberculosis for the first time, some benefit might accrue, but if you do so after keeping them for a long time in a high temperature in the plains, there is no help. I think convicts who are suffering from this disease should be let off. If you send them to Almora, a few wards should be added to accommodate them. That would be good for them, I think. If you will give only an allowance of Rs. 100 to the civil surgeon there, you will be saving a lot of money.

**Babu Sampurnanand:** Knowing as I do the extreme care or want of care which the Government bestows on the prison population of the province, I can support this resolution before the House with a clear conscience. A Government which can treat the sufferings of a human being as those of Damodar Sarup were treated and cannot blame us if we cannot credit it with any feelings of humanity. From what we have heard from other honourable members about the climatic conditions of Sultanpur it cannot be believed that you intend to give them those facilities under which perhaps they might recover. All Government intend to do is to segregate them. From replies given to my questions, Government do not believe in such antiquated methods of diagnosis as examination of blood or sputum of patients. All the medical officers there will have to do is to test the pulse, take the temperature, and see that the prisoner gets hospital diet and an injection of tuberculine at infrequent intervals. For this purpose a great expert is not wanted and, if one were wanted, Government could not get an expert on 250 a month, which is the amount provided here. A person who can



perform this work, which is more or less mechanical, would be a sub-assistant surgeon, and he need not be paid so much. Therefore I do not see any reason for all this unnecessary expenditure which is provided in this estimate. If they do away with the services of the civil surgeon and the provincial service man whom they are paying at present some allowance, they can very well put a sub-assistant surgeon in charge of this work and, instead of additional expenditure, there would be a saving. I therefore support this motion.

**Babu Bhagwati Sahai Bedar :** In dealing with the problem of segregation of prisoners suffering from tuberculosis I will first define the nature of this disease:—"Tuberculosis is a disease which attacks various animals and man. It is common in the bovine tribe and also affects pigs, rabbits, Guinea pigs, and fowls. Tuberculosis used to be considered chiefly a disease of a temperate climate." Now, temperate climate being mainly responsible for the disease, the question is as to how far it is advisable to put such persons in a temperate climate who suffer from this disease? I will point out to this House that the climate of Sultanpur district is temperate, since it lies between 25 degrees 59' and 26 degrees 40' north latitude, and 81 degrees 32' and 82 degrees 41' east. Thus the climatic condition of this place being evident by the latitude and longitude, it will be simply absurd to segregate tuberculosis prisoners in Sultanpur.

**The Hon'ble the President :** That again will require explanation.

**Babu Bhagwati Sahai Bedar :** Sir, since it will take time to explain, I will abstain from doing so. Now, Sir, here is a book "Indian Hygiene" by C. L. Dunn and D. D. Pande. Here they say "From what we know of this disease (that is tuberculosis) it would not be correct to say that patients suffering from it should not be segregated as rigidly as those suffering from other infectious fevers." So Government has moved in the right direction in segregating prisoners suffering from tuberculosis. I do agree with them. But the question is where they are to be segregated, whether in a temperate climate like Sultanpur or in a climate best suited to eradicate the disease. Now, further on, this Red Book says? "tuberculosis dispensaries should be started in all large towns (where phthisis and other forms of tuberculosis are most prevalent) and general practitioners should be asked to send all their suitable cases for treatment. A tuberculosis dispensary was started in 1912 in connexion with the King George's Medical College in Lucknow which became very popular." I think, Sir, had the authors of this book or the medical authorities of our province found out that Sultanpur was the best place to erect a tuberculosis dispensary, I think they would not have opened one at Lucknow. I do not know if the Hon'ble the Home Member will come out with a further statement from the Director of Public Health that very recently a discovery has been made that Sultanpur is the most suitable place for the purpose. If he does so that is all right, or else, unless he does make such a statement, I am not going to support this Sultanpur business. I do not know what made the Home Member select such an unsuitable place for such a grave disease. I think the honourable member from Sultanpur Mr. Surendra Pratap Sahi must be responsible. I do not think one need take long in understanding the whole issue. Only yesterday the choice of the Government has fallen on that honourable member for blessing him with the nomination to the

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Finance Committee, there is no wonder if another choice has been made in blessing his constituency with this important monument.

**The Hon'ble the President:** The honourable member must refrain from personal remarks.

**Babu Bhagwati Sahai Bedar:** I withdraw the remark, Sir, but my humble opinion is there. Further on this book says:—"More advanced cases should be sent to sanatoria such as have been started at Bhowali in the United Provinces and Dharampur." If the Government really wants to cure these poor creatures what prevents them from sending them to Bhowali or such places where they can be well treated, if not cured? The Government cannot get a credit for this act of humanity if they are bent upon putting these prisoners in an unsuitable place like Sultanpur, and hence it will be foolish to think that simply because the Home Member was good enough or that His Excellency was pleased to start a tuberculosis dispensary, we are all satisfied. If the Government is going to waste money on bricks and mortar then do it, no body can help it, but if money is going to be spent on useful purpose, as far as I think, you have just to see the usefulness of the expenditure, and there is no use in starting or constructing a tuberculosis jail at Sultanpur where the climate is so very unhealthy. I will tell you what this Gazetteer of Sultanpur says about the climate of Sultanpur. It says:—"The place is a dreary, bleak, and ravine tract occasionally relieved by mango groves." This is the place which has been chosen by this Government for the cure of tuberculosis prisoners. Now, Sir, I refer to one more point and it is this, that the average rate of birth at Sultanpur is only 30.42 and the death-rate exceeds the birth-rate. There are other districts with lower death-rates and higher birth-rates, better climatic conditions, and it is an ivory gate that the Government has chosen such a district for establishing such an important jail which concerns the life and death of many of our fellow-human beings. At least two or three members of my family have fallen victim to this disease, and I know, Sir, the complicated nature of the disease. The last stages of this disease are so very heart-rending that even the most cruel man will not like that even his enemy might suffer from this disease. I have seen a number of other patients too, and I do not follow the wisdom of keeping the prisoners suffering from this disease in jails at all. I think they should be released; they should be sent to their homes. It may very well be argued from the Government side that a majority of such prisoners, if released, shall not be able to afford treatment at their home and will be better cared for in this jail. If that be the intention of the Government that these prisoners should be cured, then why not keep them at Bhowali? Sultanpur will hasten their death instead of curing them. Another tuberculosis hospital is going to be started here at Lucknow and about a lakh of rupees has been collected. I do not understand why such prisoners would not be segregated in this hospital. An addition of some three or four barracks in this hospital shall serve our purpose. Prisoners suffering from tuberculosis will not run away, it is evident, and taking it for granted that they will run away, they will run away with the fatal disease and will do more harm to themselves than to the Government. **The Hon'ble the Home Member,** who has some experience of Tibbi and Unani. . .

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** No.

**Babu Bhagwati Sahai Bedar :** Then I will ask him to consult his physician and he will tell him that the disease is, not tuberculosis by nature, if the patient recovers. So, once a prisoner contracts this disease, the Government should, in the first instance, release him altogether, and if they wish to detain him in order to cure him, then treat him in a most businesslike way. It is no use detaining him to cause his death. In the Sultanpur jail rest assured the poor man will naturally die. Even if a condemned prisoner suffers from tuberculosis, I would advocate his release and would ask the Government in all earnestness :— "Send him to the gallows, there is some sense in it, but pray do not keep him in the Sultanpur jail."

With these few words I beg to support the motion, and, since I have given the facts and figures in support of my arguments, I hope the Hon'ble the Home Member will accede to our request.

**Lala Nemi Saran :** Mr. Yorke interrupted my friend Mr. Manjit Singh Rathor when he quoted figures about the expenses *per capita* for European and Indian prisoners. I am reading from the answer.

**The Hon'ble the President :** That is not the issue before the House now.

**Lala Nemi Saran :** It is not, Sir, but it concerns this matter as will make it out in my speech.

**The Hon'ble the President :** I think that is not the issue before the House.

**Lala Nemi Saran :** It is not, Sir, but if you will kindly allow me I will make it out.

According to the figures given therein, we are spending Rs. 20-10 per head per month on the maintenance of European prisoners, while we are spending Rs. 4-1 per head per month for Indian prisoners. Why I quoted these figures is this. Will the Home Member tell us whether he is spending on the dietary of these tuberculosis prisoners more than Rs. 20-10 per month in order to give them extra good food. I do not believe that it is so. I want to bring to the notice of the House that in spite of all the humanity which he wants to bring into this department by providing these high-paid officers and others things, he could not reform the jails so that he may be able to give them better food simply because he says he has no money; but I have pointed out that this money is being expended on one class of prisoners. I think, Sir, it is but fair and just that if anything more than that is necessary to spend over those prisoners it should be done. I would welcome a statement from the Hon'ble the Home Member that he is spending more than that on these prisoners. As far as this Sultanpur Jail is concerned in 1921 there were 309 admissions and 79 deaths. I am quoting this from the administration report of the Government (?) in 1922 there were 304 admissions and 46 deaths and the reason given for this abnormal difference between these two years is this: "The reduction in the number of deaths from this disease is however mainly due to the release of practically all the tuberculosis prisoners in July, 1922." I have quoted this passage from a Government publication to find out whether the Government has changed its policy since 1922. As far as the report goes, I think the Government in 1922 and before

[Lala Nemi Saran.]

that had the mentality of releasing these prisoners, not merely some of them, but practically all, as the report says. Therefore the demand that has been put before this House by so many members that these prisoners should be released if it was found that they are suffering from tuberculosis is nothing new. This has been once Government's policy and practice, and if the non-official members now insist upon it the Government should not have any hesitation in accepting that. Therefore if this policy is accepted as it is the consensus of opinion of this House, there will be no necessity of this money being voted by this House.

Now, Sir, I come to the figures as given in the estimates. The first thing I want to refer to is with regard to arrangements regarding medical help. There was a civil surgeon who used to supervise admissions and subordinate to him there was a special tuberculosis officer. This special tuberculosis medical officer, I believe, was a whole-time officer who was attached to the jail. He was also, I believe, a provincial medical service man. If he was a provincial medical service man and has worked there so long under the supervision of the civil surgeon, I do not see any necessity for any change now. The first reason given in this book is that, in order to make the post attractive and compensate the officer, a special pay of Rs. 250 per mensem will be attached to the post. The post is unattractive and unpopular with the officers of the medical service. Well, Sir, I do not know whether the officers of the provincial medical service are allowed to have private practice or not in Sultanpur when they are attached to the jail. In any case whether they are allowed to have private practice or not, every provincial service man is expected to serve in this line and they must take the consequences of this service. I do not think that it will entail unnecessary transfers as it is pointed out in this book. I do not think that they should be paid an extra allowance of Rs. 250 per mensem. As pointed out by my honourable friend, Mr. Gurtu, the civil surgeon was in receipt of an allowance, but now I should like to know whether the allowance is going to be continued to him. I should like to find out if the civil surgeon will be required to supervise the jail even after the appointment of a special medical officer. If the civil surgeon's control will not be removed, then it seems to me that the pay of the provincial medical officer at Rs. 250 is rather excessive. Moreover, he is shown in the memo. as on Rs. 250—500, though no explanation is given of this item. Will this medical officer be on time-scale? Further on in the memo. I find under "establishment" the following entry:—"establishment 2, pay Rs. 70—160". Of this item too no explanation has been given. Does it relate to the Sultanpur jail?

Sir, I now come to the question of the prisoners in the Sultanpur jail. In my humble opinion they ought to be released as soon as medical opinion is in favour of that course; but I know this proposal of mine will be unacceptable to the Government. Should that be the case, I would suggest a hospital, quite unconnected with the jail. As far as I know, the present hospital is in the jail premises and has every appearance of a jail. It is very undesirable that a man, suffering from such a fatal disease as tuberculosis, should be made to remain in a jail hospital, with every appearance of a jail.

My alternative suggestion is that the place where the tuberculosis prisoners are segregated should not have the associations of a jail. There should be a hospital—be it at Sultanpur or at Almora or Bhowali. As has been suggested by many honourable members, it would be a wise thing for the Government to select a place which is considered medically suitable for this purpose.

This money which has been asked by the Government would be better utilized if the Hon'ble the Finance Member takes it into his head to have a new jail for tuberculosis prisoners—rather this jail should take the form of a hospital. There should be all those amenities which are provided in a hospital. The prisoners should not have the least idea that they are in a jail.

I know, however, from the attitude of the Government that they are not going to act up to our suggestions. They have taken into their head that Sultanpur is the best place and they will stick to it. The Government have not even accepted our suggestion that there should be a standing committee on jails. I do not know how it entered into their head that Sultanpur is the best place for tuberculosis patients, and who advised them to this effect. As no suggestion of ours is likely to find favour with the Government, we have no alternative but to press our motion.

**Sri Ganesh Shankar Vidyarthi :**

श्रीमान् प्रेसीडेंट साहब,

मैं होम मेम्बर साहब को इस बात के लिये हृदय से बधाई देता हूँ कि उन्हें क़ैदखाने के ऐसे आदमियों के ऊपर तर्क आया कि जिन्होंने अपनी तन्दुरुस्तियाँ खो दी हैं। और Tuberculosis के शिकार हुए हैं। इसमें शक नहीं कि होम मेम्बर साहब का यह ध्यान बहुत ही इंसानियत के जज़बे से भरा हुआ है लेकिन जब मैं इसके ऊपर ज़रा गहराई से गौर करता हूँ तो मुझे मालूम पड़ता है कि यह एक तरह का महज़ धोखा ही सा है। मुझे बहुत काफ़ी तज़र्बा है जेल life का और मैंने वहाँ देखा है कि किस तरह से क़ैदियों के साथ इलाज का व्यवहार किया जाता है। मैं किसी और प्रकार के व्यवहार के ऊपर इस वक्त रोगशर्मा नहीं डालना चाहता लेकिन जिस तरह से वहाँ के मरीज़ों के इलाज के मुताबिक़ बर्ताव किया जाता है उसको मैं यहाँ पर आपके सामने रखना फ़र्ज़ समझता हूँ। Tuberculosis की बीमारी जो होती है वह ख़ास तरह की लापवाही की वजह से होती है वह ख़ास तरह की तकलीफ़ों के बर्दाश्त करने की वजह से होती है आप ग़ौर कीजिये जिस तरह की ग़िज़ा जेलख़ाने के क़ैदियों को मिलती है उसका नमूना आपके सामने बयान किया जाता है। एक हिन्दुस्तानी क़ैदी के लिये चार रुपये के क़रीब की माहाना ग़िज़ा दी जाती है। उसके मुक़ाबिले मैं आप को यह भी मालूम है कि योरोपियन क़ैदी को बीस रुपये दस आने की ग़िज़ा दी जाती है। आप साहबान में से जो इसके महत्व (इसकी importance) को जानते हैं वह इसको महसूस कर सकते हैं कि जिस पर अच्छी ग़िज़ा का क्या असर पड़ा करता है। अब जो अदद हमारे सामने है और जो बातें हमको मालूम हुई हैं उनसे हमको पता लगा है कि अब तक जो ग़िज़ा हमारे सबे में क़ैदियों को दी जाती थी वह ग़ैह

[Sri Ganesh Shankar Vidyarthi.]

था और उसमें चना शामिल था। लेकिन अब हिन्दुस्तानी कैदियों को जो गिज़ा दी जाती है वह जुधार है और मजबूरन गेहूँ शामिल किया जाता है। मैं आप लोगों की सेवा में निवेदन करना चाहता हूँ कि हमारे सूबे को खास Staple food जुधार नहीं है। मैं इन वाक्यात पर अगर इन बातों पर इस अलिये रोशनी डाल रहा हूँ कि उससे यह मालूम हो कि उस गिज़ा का जिस पर क्या असर पड़ सकता है और कैदों खास हानियों में पहले जो गिज़ा दी जाती थी वह बनिस्वत इस के जो आजकल दी जाती है ज्यादा ताकत बख्शने वाली थी और जो मौजूदा गिज़ा हिन्दुस्तानी कैदियों को दी जाती है वह उनकी तन्दुरुस्ती को बिगाड़ने वाली है। मैं इस बात के ऊपर इस लिए रोशनी डाल रहा हूँ कि अगर किसी को इस मामिल में शक हो तो मैं यह पूछना चाहता हूँ कि आज तक योरोपियन कैदियों में से कितने कैदों Tuberculosis की बीमारी में बीमार हुये हैं। मेरा खयाल है कि इस सवाल का जवाब नफ़ी में मिलेगा और एक भी योरोपियन कैदी नहीं बतलाया जा सकेगा जो इस बीमारी में बीमार हुआ हो। इसके मुकाबिले में हिन्दुस्तानी कैदियों को तादाद शायद सैकड़ों में पहुँची होगी। यज्ञह यही है कि इनकी गिज़ा बहुत ही poor है और उनकी गिज़ा बहुत अच्छी है। एक योरोपियन कैदी डेढ़ छोटोंक घी पाता है गोस्त पाता है। चार पाँच छे तरकारियाँ पाता है double रोटी पाता है और डेढ़ पाव दूध पाता है ऐसी हालत में आप इस बात को महसूस कर सकते हैं कि किसी भी योरोपियन कैदी को Tuberculosis होने का खतरा नहीं है। कैदी किसी भी social rank का हो अगर उसको सब्जी जुधार की रोटियाँ मिलेंगी तो उसका क्या हाल होगा। मैंने यह भी सुना है कि महाराजा साहब बहादुर महमूदाबाद और मौजूदा Home Member साहब भी कभी २ जुधार की रोटी की तारीफ़ किया करते हैं। मैं यह प्रश्न करूँगा कि महाराजा साहब बहादुर महमूदाबाद कुछ दिनों तक उस गिज़ा को खाएँ या Home Member साहब कुछ दिनों तक उस गिज़ा को खाएँ तो उनका पता लगेगा कि उसका असर उनके जिस पर क्या होता है। हम से कहा जाता है कि कैदियों में ज्यादा मौतें नहीं होनी देख लीजिए कितनी अच्छी उनकी तन्दुरुस्ती है तीन महीने में उनका वज़न बढ़ गया। लेकिन मैं यह कह सकता हूँ कि जिनको जेल life का पता है वह जानते हैं कि कैदी लोग किस तरह से रहते हैं। जब वह मरीज़ होते हैं तो वह दो दिन तक भूखे रह जाते हैं कुछ भी नहीं खाते नेचर (nature) उनकी मदद करती है वह आप से आप भले चंग हो जाया करते हैं इस में जनाब न जेल के शफ़ाख़ानों की और न जेल की authorities की मदद है जो कुछ मदद उनकी मिलती है वह नेचर से मिलती है। दूसरी चीज़ जो है वह कपड़ा है। आपके सामने बारहा इस बात को पेश किया गया है कि अब जेलख़ानों में हिन्दुस्तानी कैदियों को अच्छा कपड़ा दिया जाता है। मैं यह कहता हूँ कि यह बिल्कुल ग़लत बात है। मैंने उन कपड़ों को पहना है।

एक दफा नहीं कई दफा पहना है। इस तरह के कपड़े हैं कि अगर आप के सामने रख दिए जाय तो आप उन से duster का काम भी नहीं लेंगे। मेज़ भी साफ नहीं करेंगे इस के मुकाबिले में योरोपियन क़ैदियों को कैसे कपड़े मिलते हैं ॥

नोट:—Deputy President साहब ने अंग्रेज़ी में पतराज़ किया कि speaker साहब को प्रस्ताव पर बोलना चाहिये।

बाबू गणेश शंकर विद्यार्थी:—आप कह सकते हैं कि यह बातें irrelevant है। एक आदमी जो जाड़े के दिनों में अच्छे कपड़े पहनता है वह जाड़े के मौसिम की inclemency से अपने को बचा सकता है। योरोपियन prisoner को आप देखें उनको bedding मिलता है straw bed मिलता है। मैं प्रेसीडेंट साहब से बयानब अर्ज़ करूंगा कि मैं यह कपड़ों की बात इस लिये कह रहा हूँ कि कपड़ों का असर तन्दुहस्ती पर कैसे पड़ता है। मुझे personal experience है मुझे दो कम्बल मिले थे जाड़े के मौसिम में।

नोट:—Deputy President साहब ने अंग्रेज़ी में पतराज़ किया कि honourable मेम्बर साहब फिर प्रस्ताव के बाहर जा रहे हैं।

बाबू गणेश शंकर विद्यार्थी:—मैं यही अर्ज़ कर रहा था कि सुलतानपुर में Tuberculosis hospital बनाने की क्या ज़रूरत है। अगर आप अपने क़ैदियों को जेलखाने में अच्छी तरह से रखें और उनकी काफ़ी खुराक दे सकें तो यह ज़्यादा अच्छा हो। कोई ज़रूरत नहीं मालूम होती कि सुलतानपुर में आप extra खर्चा करें और मामूली आदमियों पर Tax बढ़ायें। चूंकि मैं रोका जा रहा हूँ और बातें मैं आपके सामने नहीं पेश करता ॥

**Pandit Rahas Bihari Tiwari:**

सभापति महोदय !

जितने महाशय बोल चुके हैं उनके व्याख्यानों से यह भली प्रकार मालूम होता है कि सुलतानपुर का Tuberculosis hospital जो है वह सर्वथा अयोग्य स्थान में है। आप जानते हैं कि Tuberculosis disease के जो सबसे अच्छे expert doctors हैं वह लखनऊ में रहते हैं जैसे कर्नल इस्प्रासन और डाक्टर हरगोविन्द सहाय इस अवस्था में क्या यह आवश्यक नहीं है कि लखनऊ के King George's Medical College को authorities इस बात का विचार करें कि Lucknow में एक विशाल Tuberculosis hospital स्थापित किया जाय। लेकिन शोक की बात है कि धन न होने के कारण अब तक hospital स्थापित नहीं हुआ। Lucknow में कर्नल इस्प्रासन के नाम के कारण केवल U. P. के ही नहीं बल्कि U. P. के बाहर से भी रोगी आते हैं। लेकिन यहाँ पर कोई स्थान न होने के कारण उनको निराश होकर लौटना पड़ता है यह कहा जा सकता है कि हमारे प्रान्त के उत्तरीय भाग भवाली में एक बहुत ही सुन्दर और विशाल Tuberculosis hospital है लेकिन यह आप को पता होगा कि

[Pandit Rahas Bihari Tiwari.]

भवान्ता में इतने रोगी नहीं रह सकने जितने रहना चाहिए। Lucknow में कोई दिन ऐसा ग्यतीन नहीं होता कि जिस दिन King George's Medical College Hospital से चार छे क्षय रोग से पीड़ित रोगी स्थान न होने के कारण न लौट जायें। यह हमारे लिए लज्जा की बात है कि अभी तक लखनऊ में ऐसी स्कीम (scheme) पुरा नहीं हुई और पूर्ण इस लिये नहीं हुई कि Government ने परिचायत धन देना स्वीकार नहीं किया। public इसके लिए धन दे रही है। मगर अब तक public से इतनी मदद नहीं मिली जितनी की मिलना आवश्यक है। ऐसी अवस्था में जब मुल्तानपुर जेल के Tuberculosis hospital का भवान्ता हमारे सामने उपस्थित है क्या हमारे लिए यह सुनामिब न होगा कि मुल्तानपुर का हासपिटेल बंद करके एक विशाल Tuberculosis hospital, Lucknow में स्थापित करें। एक तो Lucknow में expert opinion इस बारे में हमको मिलेगा और साथ ही साथ जिस scheme में हमें लाखों रुपया खर्च करना आवश्यक है मगर रुपया न होने के कारण खर्च नहीं करते उसमें भी हमको मदद मिलेगी। इतना धन (Government जो मुल्तानपुर में खर्च करने को तय्यार है लखनऊ के लिए दे दे। मैं तो यह प्रार्थना करूंगा कि उस धन को लखनऊ को दे दें ताकि लखनऊ में एक सुन्दर और विशाल Tuberculosis hospital कायम किया जा सके। दूसरी बात मैं यह भी आप से प्रार्थना करूंगा कि इस हासपिटेल में इस बात का ध्यान न रक्खा जावे कि वह कैदी हैं एक ममल है मरे को मारे शाहमदार व कैदी बेचारे ऐसे ही रोग से पीड़ित हैं उनके हृदय में भय यह ख्याल पैदा होता है कि हम रोगी हैं और मर रहे हैं लेकिन मरते हुए भी हम कैद में हैं उस वक्त उनके बिचार आप लोग समझ सकते हैं कैसे होंगे। जब उनको यह मालूम होगा कि Medical College के Hospital में जो स्थापित होने वाला है उनके रोग को चिकित्सा भले प्रकार से होगी तो वे प्रसन्न होंगे। कैदियों से कहा कि तुम्हें मुक्त किया जाता है। वहां पर तुम जा कर उस hospital में रहो। वहां पर तुम्हारा इलाज अच्छे प्रकार से होगा। साथ ही साथ (जेल की diet जिसका रोना सैकड़ों बार Council में आपने सुना है— मैं तो कहूंगा कि परमात्मा उस diet को उस भोजन को शत्रु को भी न दे) Medical College में जो भोजन मिलता है आप जानते हैं कि उन रोगों के लिए कैसा लाभदायक और आवश्यक हैं। जहां उनका इलाज किया जावे उन को भोजन भी अच्छा दिया जावे। मेरी समझ में तो इससे बढ़ कर बात नहीं है कि Tuberculosis hospital जो इस समय मुल्तानपुर में है बंद कर दिया जावे। और लखनऊ में स्थापित किया जावे। इसमें public भी प्रसन्न रहेगी। अच्छी diet रोगियों को मिलेगी और साथ ही साथ कैदियों के हृदय से यह बात निकल जायगी कि वह कैदी हैं। मैं दावे के साथ कह सकता हूं कि जो कैदी रोगी हैं अगर उन को यह बात मालूम हो जाय कि वह मुक्त कर दिए गए हैं तो यह स्वाभाविक बात है कि वह बहुत जल्द अच्छे हो



جایاں گے۔ جیل کے بجٹ میں میں نے بھی دیکھا کہ اڈتالوئس سے روپا کےवल اس لپ رکھے گئے ہیں کہ آراگرا اور نئی جیل میں پنلے کا پربھ کریا جاپ سولتانپور میں آپنے سنا هگا کہ کسسا गरम स्थान है क्या हो अच्छा होता अगर पंखों का इत्जाम सलतानपुर में होता—इस दशा में Government को चाहिये था कि बजाय आगरा वो नैनी जेल के यह प्रबंध सलतानपुर में करती जिस में उन बेचारे कैदियों को जो Tuberculosis से पीड़ित हैं आराम मिलता। इस बजट में आप यह देखेंगे उस में लिखा हुआ है कि उन पंखों का इत्जाम इस लप क्रिया जाता है कि लोग इस बात को शिकायत करते हैं कि योरोपियन कैदियों के पंखे Indian कैदी खोंचते हैं इस काम में जो कैदी हैं उन को मुक्त कर दिया जायगा। साथ ही साथ यह भी लिखा हुआ है कि उन जेलों में हिन्दुस्तानी ऐसे कैदी हैं जो पंखे के आदी हैं उनके लप प्रबंध क्रिया जायगा—आप समझते हैं कि इन दो जेलों में इस प्रकार का प्रबंध करते से किसी किस का फायदा न होगा लेकिन सलतानपुर में जो Tuberculosis hospital है उस में Government यदि इस बात का प्रबंध करदे तो प्रान्त के सभी क्षयी रोग से पीड़ित कैदियों को लाभ पहुंचेगा मैं अन्त में Government से यह प्रार्थना करेगा कि सलतानपुर का Tuberculosis hospital बंद कर दिया जावे और Lucknow में एक अच्छा और विशाल Tuberculosis hospital स्थापित किया जावे जिससे क्षयी रोग से पीड़ित कैदियों को लाभ हो सके साथ ही साथ बीसों रोगी जो यहां से लौट जाते हैं उन को भी लाभ हो।

मैं आशा करता हूँ कि इस प्रस्ताव को आप लोग सर्व सम्मति में स्वीकार करेंगे।

**Khwaja Khalil Ahmad Shah :**

جناب والا - اس قدر تقریروں کے بعد ضرورت نہ تھی کہ کچھ اضافہ کیا جاتا - میرے سوراہہ میں جو جیل کی سختیاں برداشت کر آئے ہیں ان کی جیلخانہ کے سلسلہ میں مخالفت کرونگا بعد اس کے ان کے ذاتی معاملات کے اور اس کو رکھتا ہوں مگر مجھے ایک بات ابھی ایسی معلوم ہوئی ہے کہ میں اب بھی گورنمنٹ سے کہونگا کہ وہاں پر وہ اسپتال نہیں کھول رہی ہے بلکہ ہر دن کے چہرے کو بال رہی ہے - آنریبل میمبر سیناپور سے ابھی یہ معلوم ہوا کہ یہ ہسپتال کھلے ہوئے بہت دن نہیں ہوئے کہ ایک ڈاکٹر صاحب جو ان قیدیوں کی نگرانی یا مہمت یا جو کچھ آپ سمجھیں کرتے تھے اب وہ خود اس بیماری میں مبتلا ہو گئے اور ایک آرڈر ڈاکٹر صاحب بھی بیمار ہو گئے - اگر گورنمنٹ ان قیدیوں کی ذمہ دار ہے اور ان کی جانوں کی کچھ قیمت سمجھتی ہے تو ایک میڈیکل کالج وہاں پر قائم کرے اور وہاں پر ایسا فن تعلیم مقامی لوگوں کو دے - کچھ قیدیوں کو دے یا ان کے ٹانگ یا جمعدار جو ہوں ان کو دے اگر دو چار ڈاکٹر صاحبان اس طریقہ سے بیمار پڑتے رہے مجھے تو قدر ہے کہ سوائے چھٹی کی فہرست میں تو شاید دیکھائی دیں - اس سے آگے جو صیغہ ہے میں عرض نہیں کر سکتا اگر اس کے ساتھ میڈیکل کالج کھولا جاتا ہے تو میں سوراہہ پارٹی

[Khwaja Khalil Ahmad Shah.]

کی مخالفت کرونگا انہم نہیں کہولا جاتا ہی تو کم از کم سبکاری ملازمان پر رحم کیا جاوے انہم قیدیوں پر رحم نہیں کیا جاتا ہی - ان الفاظ کے ساتھ اس کو آپ موافقت سمجھیں یا مخالفت - میں بیٹھتا ہوں \*

Chaudhri Dharamvir Singh :

جناب پرسیڈنٹ صاحب،

میرے خیال سے یہ جرحی ہے کہ جس طرح سے پھر جیلوں کا انتظام ہماری Government میں ہوتا ہے، ہماری Government کرتی ہے اسی طرح کیدیوں کو تادیب تاکہ Tuberculosis سے بیمار ہوں اس کے کم کرنے کا انتظام کرے۔ جب کہ میں جیل میں تھا جو خانا مہنگا ملتا تھا وہ اتنا کم تھا کہ میں بھڑا رہ جاتا تھا۔ ۲۱ بجے کی گھنٹی جس وقت بجتی تھی تو میں انتظام میں رہتا تھا کہ کب خانا مہنگا ملے۔ جو خانا مہنگا جیل میں ملتا تھا وہ کھانا کم تھا۔ میرا یہ خیال ہے کہ ہمارے ملک میں Tuberculosis بڑھ رہا ہے جیل کے جو حالات آپ صاحبان نے سنے ہیں ان سے بڑھ کر Tuberculosis بڑھے گا۔ تادیب patients کو زیادہ ہوگی۔ یہ بھی میں جانتا تھا کہ آپ کتنے پستایہ کوریجس سب ہاؤس (House) سے پاس کر دیئے جائیں مگر Government نہیں کرے گی چونکہ Government نے پشتر اپنے کاغذ میں لکھ دیا ہے Government ہرگز جیل میں ملتا ہونے کے hospital کو نہیں بٹا دے گی۔ جیسے کہ میرے دوستوں نے لکھناؤ پھر ان پورے کو توجہ دینا ہے۔ مگر 'جس کو جہاد نہ جہاد گولہ محمد' یہ جیل میں Sanatorium بڑھ رہا ہے۔ اس بات کو جانتے ہوئے تب بڑھایا ایک آدمی کے چار آدمی ہونا چاہیے۔ پھر اس کے لیے ایک ہزار روپے کی سبزی ہونا چاہیے پہلی بات۔ دوسری بات یہ ہے کہ مہنگا یہ مانو کہ یہ ایک صاحب نے بھی فرمایا تھا کہ doctor صاحب جلد بیمار ہو گئے۔ میرا خیال ہے کہ 250 روپے کم ہے ایک آدمی کے لیے کم بڑھ کم اس کی family کے علاج کے لیے ۲۵۰ روپے ماہانہ اگر اس کو دیا جاتا ہے تو میں اس کے کم سمجھتا ہوں۔ تو کم بڑھ کم ایک ہزار روپے ماہانہ ان آدمیوں کے تنخواہ کے لیے رکھا جائے جو کہ Provincial Service کے ہوں پھر جو وہاں پر کام کرے۔ میں جانتا ہوں کہ جیل میں بڑھ تو کیدیوں کو خانا کم ملتا ہے۔ Tuberculosis چونکہ میں سمجھتا ہوں میں جلد ہی اس کا شکار ہونے کا تھا۔ میرے پاس میں بھی سبزی ہے۔ میں یہ سمجھتا ہوں کہ Tuberculosis کے جہاں پھر کاروبار ہے وہاں ایک یہ بھی ہے کہ کم خانا ملتا ہے۔ میں پشتر بڑھ کر بڑھا ہوں کہ جیل میں کم خانا ملتا ہے چکی چلانی پڑتی ہے۔ کولہ چلانا پڑتا ہے۔ جن آدمیوں پر ہوتی ہے وہ اس کو جانتے ہیں کہ کولہ چلانا، چکی چلانا، خانا کم ملتا یہ کدورتی باتیں ہیں Tuberculosis کے پھر کو۔ لہذا اگر Non-co-operation جاری رہتا تو Government کے آدمیوں کو پھر public کو بڑھ

झयादा बढ़किस्ती होती शायद सब आदमी Tuberculosis के शिकार हो जाते। इस लिए मैं अर्ज करना चाहता हूँ कि जैसे कि तन्दुहस्तों खराब होनी जा रही है इन हालात को देखते हुए मैं समझता हूँ कि कुछ ऐसा हो कि इस बात की शिकायत दूर हो। Tuberculosis के लोग शिकार हैं। मेरा यह खयाल है कि सुलतानपुर में एक Tuberculosis का Sanatorium बनाना यह सिर्फ इस वजह से मैं समझता हूँ कि ज़िला सुलतानपुर का climate अच्छा नहीं है। न वह सर्दी की जगह है न आज तक कोई वहाँ Tuberculosis में गया है। तो मैं यह अर्ज करना चाहता था कि सुलतानपुर का छाँटा जाना Tuberculosis के लिए अगर कोई वजह है तो यह है कि चूँकि आदमी Tuberculosis से बीमार होंगे गरीब हिन्दुस्तानी की ज़िन्दगी बहुत कम समझी जाती है चूँकि उसको यह बीमारी हो गई है इस लिये वह किसी तरीके से मर जाय-उसका ख़ातमा हो जावे और जेल के अफसरों को उसका दिक्कत न उठानी पड़े। इस लिये एक ऐसी जगह सोचना चाहिये जहाँ शीघ्र से शीघ्र उसका ख़ातमा होना चाहिये। जब तक हमारी Government के अफसरों के दिमागों के अन्दर यह बातें काम कर रही हैं तब तक मेरे कोई वजह समझ में नहीं आती कि सुलतानपुर को क्यों ख़ास जगह समझा गया कि Tuberculosis hospital वहाँ रक्खा जावे। यह एक दफ़ा नहीं हजार दफ़े मिट्ट हो चुका है। इस काउन्सिल में और काउन्सिल से बाहर हमारे क्षेत्र-राजनैतिक क्षेत्र में कि हिन्दुस्तानी कैदियों की ज़िन्दगी किस क़दर हकीर और ज़लील और किस क़दर तुच्छ Government के यहाँ समझी जाती है। मेरा तो यह खयाल है कि अगर यही वजह है तो मैं जनाव President साहब से अर्ज करता हूँ कि मैं न Scientist हूँ ना Mathematician हूँ मैं अपने indirect method of reasoning से यह समझता हूँ कि सिवाय इस के कि इस किसम की reasoning Government की पार्टी से और इस वक्त की हालत से House में जो discussion हुआ है उस को सुन कर मैं तो अंदाज़ा लगाता हूँ कि अगर सच मुच इसी किसम के खयालात हैं तो थोड़े दिनों में Government इससे फ़ायदा नहीं उठा सकती। इस समय पहिले एक Loyalist को हैसियत से अर्ज करना चाहता हूँ कि यह Policy सख़्त मुज़िर और सख़्त नुक़सानदेह है। मैं इस तहरीक की जो काउन्सिल के सामने पेश है हृदय से, हर प्रकार से उसके में ख़िलाफ़ हूँ।

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan:** How a useful and beneficial proposal can be criticized and attacked is fully illustrated by to-day's discussion. The innocent proposal is that a certain allowance may be given, so that we may be able to have a Provincial Service man in the Sultanpur Jail. There has been a jail at Sultanpur for years and tuberculosis prisoners are sent there. It is not proposed to construct a new jail there for consumptive prisoners. As I was saying, the proposal is to have a Provincial Service man and 99.9 per cent. chances are that an Indian who has got some special knowledge of this disease will be placed in charge of that hospital.

[The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan.]

This was the only proposal before the House, and I know that in different circumstances this motion would have been passed by the Council without much criticism. But as it is, some honourable members have made up their mind to prolong the discussion of the question. They have raised a general discussion of the whole Jail department, although it had been discussed under the budget quite recently. Different points have been raised by different honourable members. I may have missed some of them. Moreover, it is humanly impossible to be able to note down all the points and then to reply to them all.

The first point raised was about the transfer of the Sultanpur jail to Almora or some other hill station. As I said, there is not going to be a new tuberculosis jail in Sultanpur. It has already been there for a long time. The question is about the appointment of an extra man to raise the efficiency of treatment there. The question of transfer has been under the consideration of Government for some time. But the Almora jail is not big enough, and it is so situated that it cannot be enlarged. As soon as money is available, we shall be only too pleased to construct a tuberculosis hospital or jail either at Almora or at some other hill station. So far as the appointment of an extra man is concerned, it will make no difference. The same man will be transferred to the place where we shall be able to construct the hospital. We brought this proposal before the House with the intention of doing a good turn to the prisoners and also because the honourable members were anxious about the health of prisoners. I was and am still under the impression that this proposal would have received the support of the whole House if the circumstances were favourable.

The next point raised was about the cost of prisoners per head. I never anticipated a question of this sort. Still, I may say that the cost must be very high because of the nourishing food and medicines that are supplied to the prisoners. The other point that was raised by some friend was about the doctor getting tuberculosis. This is very unfortunate, but this is everywhere. Colonel Sprawson, the specialist, is a victim of tuberculosis. Dr. Kacker in charge of the Bhowali Sanatorium had contracted this disease from the patients. So this infection is not peculiar to the Sultanpur jail alone. One more point was raised by my friend, the member for Commerce, in which he very strongly drew attention to the principle that everybody should be treated equally. There should be no differentiation between the treatment. Well, Sir, honourable members who were in this House in the last debate on the jail will recollect that it was pressed on the Government that to those who according to their habits and social circumstances are not accustomed to the hard life like that of an ordinary prisoner, some concession should be given. Not only on the last budget debate was this done, but this point had been consistently pressed upon the Government by those members who were the members of the last Council. If you will look to the proceedings of the budget debate you will find that year after year this point has been pressed on the Government that some concession should be given to those prisoners who are accustomed to better life when they go to jail.

**Rai Bahadur Babu Vikramajit Singh :** On a point of personal explanation. The Hon'ble the Home Member has misunderstood my speech. What I meant to say was that no difference should be made on the basis of race. There should be no racial distinction or difference, while my honourable friend is putting forward entirely a different matter which was not before the House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I might have misunderstood him, but I remember very distinctly, perhaps my friend will have to cut out that sentence from his speech as he never meant that—but I remember very distinctly that my honourable friend in his speech said that there should be no difference between anybody who breaks the law. These were his words. They are still resounding in my ears. If my friend says that he did not mean that, then I take it that I was perhaps wrong.

**Rai Bahadur Babu Vikramajit Singh :** You have to read with the context.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** One more point was raised by my friend who has come from my own district, that what is the treatment that is given to the European tuberculosis prisoner. We have no special treatment. Perhaps he will be treated in the same way. Another point was raised by my friend, the member for the Allahabad University, as to whether this matter was ever brought before the Finance Committee.

**Pandit Iqbal Narayan Guru :** I did not say so.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** Then some other member said so. (A voice :—Khan Bahadur Hadz Hidayat Husain.)

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** The reply to this is that the matter was brought before the Finance Committee. In the technical sense it was not a Finance Committee because it was after the dissolution of the last Council. So this proposal was put before the Finance Committee of the late Council and it was approved by the Committee.

**Pandit Nanak Chand :** Is the Hon'ble the Home Member in order while referring to the proceedings of the Finance Committee?

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** One point that was raised by the honourable member for the University was whether the allowance that used to be given to the civil surgeon will continue to be given to him? The Deputy Secretary tells me that the civil surgeon will not receive the allowance now.

These are the points that I noted down and I think I have given a satisfactory reply to all of them. I hope honourable members are going to vote for this. Whatever be their motive in delivering lengthy speeches, I hope that they are not going to deprive the poor patients of a good doctor. That will be very hard on them. I therefore appeal to them that it will be very cruel on the tuberculosis patients if this amount is rejected by the House.

**Raja Jagannath Bakhsh Singh :** The Hon'ble the Home Member in his speech said that this arrangement of treating tuberculosis patients at Sultanpur has been in existence since some time past. I beg to submit

[Raja Jagannath Bakhsh Singh.]

that it is no argument that because these tuberculosis patients have been kept for a long time at a certain place, even though the climate of the place is not suitable, they should still be kept there. As far as I have followed the debate, I have not heard a single member saying that no special care should be taken of tuberculosis patients; no honourable member has argued that he will grudge a little more money being spent on such good purpose. The whole point of almost all the speeches that have been delivered on the floor of this House is that the place that has been selected is not suitable, that all the money that will be spent on this place will be wasted. The Hon'ble the Home Member has not been definite on the point, he has merely raised the war cry of unfavourable circumstances. I beg to submit who has created these unfavourable circumstances? I do not know what motive the honourable member attributed to this side, but I may be permitted to say that we are also doubtful of the motive in rushing through the business today, and making indiscriminate selection of the items to be placed before the House. I would not like to develop that point any more.

The third point, whether the House is willing to spend more money, does not arise at all. We see that huge sums have been sanctioned and are being spent (not from annual revenues but from loans) on police buildings, on bricks and mortar, which could wait for much longer time than certainly the House could not grudge a few thousands or more to be spent for tuberculosis patients. We do not suspect the intentions of the Government in trying to do good to the prisoners at Sultanpur—we are at one with them, but certainly we do disagree with them, when they select a bad place for segregating them. It is this point that is strongly opposed by the members on these benches, and I hope that the House will be pleased to carry this out.

**Mr. A. P. Dube:** It seems to me that the question of jails, when you come to look at it from the right point of view, is a very important subject. Therefore, when the honourable members on the other side think that we are overdoing the matter inasmuch as we are applying our attentions to this important subject in detail, they are certainly in the wrong. When we consider that the State has a duty under modern civilization towards its subjects we realize that that duty commences from the birth of a man and ends with his death.

**Mr. E. A. H. Blunt:** And after death.

**Mr. A. P. Dube:** That is left for the religious orders: so far as the temporal state is concerned, every enlightened State thinks it to be a duty to concern itself with the proper care and welfare of the citizen from his birth right up to his death. Therefore, a prisoner who has been unfortunate enough like a diseased person suffering from a mental disease, to be confined in jail, it is only right that the State should continue to bestow its attention upon him also. A poet has said:—

“Evil deeds like poison weeds thrive well in prison air;  
It is only what is good in man that wastes and withers there.”

The State is under a duty to stop this waste and withering of the human qualities. I say that it is in the interest of the State to continue to regard the welfare of the criminal, because a criminal can be reformed and can be put to some use, as was proved in the late war when our prisons were denuded and the prisoners enlisted as soldiers and

taken to the distant fronts as so much food for powder. They did their little bit for the State itself. Therefore, it is my submission that we on this side of the House are actuated by the right feeling, when we devote greater attention to jail matters. We are doing the right thing and those who think that we are trying to kill time are certainly in the wrong. The House knows that a punishment has three sides to it . . .

**The Deputy President :** I may remind the honourable member that we are not discussing the theory of punishment.

**Mr. A. P. Dube :** No. I am only coming to the practical side of it. I will leave the other two aside and will say that one of the functions which the State discharges when it forcibly arrests a man and confines him in jail, is to try and reform him. Even when it is punishing the criminal, it has got to see that the punishment does not exceed the measure which was assigned to him before he was consigned to jail. Now we all know, and I have got the authority of a great writer to support me here also, that to force a man to work hard and yet give him no share in the fruits of his labour is rank slavery. Even to-day the Hon'ble the Home Member said that vocational training will be useful to the criminal when he leaves the jail. The great writer says :—" Many men have died ; all men must die ; the last exit of all is in the fire-chariot of pain. But to work hard and yet gain nothing, to die slowly all your lives, is, and must remain, intolerable to all men whom God has made." When you, therefore, confine a criminal inside the jail and as ill-luck would have it, he contracts a disease and a disease of such a fatal type as tuberculosis, then all humanity, all civilization, demands that instead of confining him in jail and putting him to all the hard things, you should try to act up to the civilization which you so much profess and should release him. The State spends so much money in erecting hospitals and in curing persons who are not under the special care of the State. Well, when you under the execution of your law, take possession of this man, deprive him entirely of his liberty and confine him in jail, the very fact of your taking him in custody, although it is supported by, and is in execution of the law, entails a duty upon you that you should look to his welfare in the way in which a civilized person would be expected to look after it. And I submit that the first thing that would press itself upon the attention of such a human person would be that this man would not be improved in his normal outlook if he continued to be confined in jail because his mind will never be at work and will not be what it should be so long as his confinement inside the jail continues. He will not co-operate in his own regeneration so long as his diseased condition continues, and it is futile to expect it from him. It is also clear that you cannot give hard labour to a prisoner suffering from tuberculosis.

Therefore, I submit, in connexion with this proposal which is now before the House, that, instead of segregating diseased patients in the right place, namely, where there are hospitals, to still confine him inside a jail in such a place as Sultanpur is nothing short of a crime. I therefore find myself unable to support the motion.

**Pandit Brijnandan Prasad Misra :** Since there has been only one speech on the Government side and as its contents, although it was a little lengthy, were not very convincing, there is not much for me to

[Pandit Brijnandan Prasad Misra]

say in reply. I tried to listen with the utmost patience and attention to the speech of the Hon'ble the Home Member, but unfortunately either my ears failed me or the vocal strength of the Hon'ble the Home Member has decreased and so to my great misfortune I have not been able to follow all that he said in reply to me and to other honourable members of this House who spoke on this motion. However, I failed to find out a reply to any of the arguments which I had put forward in opposition to the demand that was made by the Government in regard to the tuberculosis hospital at Sultanpur, and he entirely failed to convince the House as to the necessity of that place being selected for the location of a hospital for tuberculosis prisoners. The only point that he made in that connexion was that tuberculosis prisoners had been kept there for a long time. Beyond saying this he could not give any justification as to why that place was considered to be a proper place for that purpose. He could not say anything as regards the salubrity of its climate or any other circumstance that might give any particular title to that place for segregation of tuberculosis prisoners. He simply asked the House whether the Council would agree to the appointment of an expert for the treatment of tuberculosis patients. Even if we were to give a reply in the affirmative to his inquiry, the difficulty of the Hon'ble the Home Member would not be solved. We may say that an expert is necessary, but the point is whether the purpose for which he is being appointed would be served. An expert may be there, but a mere expert with his hands and with his brain would not be able to accomplish much. Allopathy has declared its despair that tuberculosis is a disease which could not be cured. If any cases are cured, they are declared by medical experts on tuberculosis to be cases of some other disease and not those of tuberculosis.

**The Deputy President:** The honourable member is repeating the same arguments. He had better confine himself to reply.

**Pandit Brijnandan Prasad Misra:** What I wanted to impress upon the Hon'ble the Home Member is that even if an expert were appointed, he would not be able to accomplish anything more than what he had been able to do up to this time by keeping the prisoners there. This would certainly not improve matters. The Hon'ble the Home Member pointed out that no suitable man could be found upon the salary that was being given to the expert or specialist in T. B. up to this time. He did not base his case upon the number of such patients, and that being so, I submit that there is no necessity for any increase in the staff. As regards the appointment of a tuberculosis expert on a special pay, I might say that such an expert has already been there for so many years upon the pay that he received in the past and I do not think it would be difficult even in future to have an expert on the same salary. Any person who is posted there must know that he would not be allowed private practice and he must remain content with the lot that is assigned to him at that place.

The second point that the Hon'ble the Home Member wanted to urge was that if a hill station were to be selected for the purpose, it would be very costly. In reply to this I submit that the House would not grudge granting a bigger amount of money if it would substantially help the purpose for which the demand is made. If a hill station or sanatorium



were selected, the purpose would be served better and I think the House would be justified in voting a larger demand.

The third point in regard to the hospital at Sultanpur is a little question that I wish to know, and it is—what particular ways and means are adopted there for treating the T. B. patients? My information is that there are no special facilities. Even milk, which is very necessary for such patients, cannot be supplied in sufficient quantity for the prisoners at that place. I am told that a proposal had come from the medical expert of the place to the Government demanding the starting of a dairy, and that proposal was not accepted. If the Government cannot give good diet, if they cannot keep the prisoners up to the standard, if they cannot nourish them properly, what is the good of employing an expert only? The appointment of an expert would be just like the appointment of a groom who would take much care of the horse in grooming or combing, but would not supply it with diet. I therefore think that the reply of the Hon'ble the Home Member is not in the least convincing. He has not been able to convince the House as to the necessity of the conversion of the jail into a hospital, and that even if that is done, he would accomplish the purpose for which this large sum of money is being tried to be spent.

With these observations I beg to put my proposal before the House.

**The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan :** I have nothing to add, as I do not think any new point has been raised. I am afraid I will be committing the crime of repetition; but to make the position clear I must repeat what I said in my first speech. The question is not at this time that a jail for tuberculosis prisoners should be made at Sultanpur; it has been there for years. The Council could have given its verdict in the last budget, in the budget for 1925-26, for 1924-25, and so on. It is there, it has been there, and now our proposal is to give an extra allowance to the medical officer and to make some increase in the subordinate medical staff. I quite agree with the honourable member for the British Indian Association that, if we can get a good place in the hills, if we can have a sanatorium on the hills for tuberculosis prisoners, we should do so; but at the same time it must be remembered that it requires a lot of money. When money is forthcoming, when a suitable place is selected, it is then that this can be done; but it will take years. It will take at least two years to build the thing. I do not know how much money it will take to build the whole thing, to get all the necessary staff and then to transfer the prisoners there. But if you vote this amount, after a fortnight an expert man will be there to help the suffering prisoners; there are about 100 patients there, and I think the lives of these men are worth this amount that we have asked for here. I do not see any reason why this amount should not be voted by the House. In fact I am perfectly convinced that it is very essential.

As to the question of making a sanatorium for them in the hills, as I have said the matter is under our consideration; when money is forthcoming, perhaps we would like to have a sanatorium somewhere in Dehra Dun or Mussoorie or Almora.

Rai Bahadur Lala Mathura Prasad Mehrotra : May I put a question to the Hon'ble the Home Member ?

The Deputy President : Yes.

Rai Bahadur Lala Mathura Prasad Mehrotra : So far it was a jail ; but, according to the notes that have been supplied to us, it is going to be converted into a jail hospital for the province. We have objection to this.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : Even now it is treated as a jail hospital of the province, because when we get a prisoner and the moment it is diagnosed that it is a positive case of T. B., we send him to Sultanpur. So this makes no difference whatever.

Pandit Brijnandan Prasad Misra : May I also put a question to the Hon'ble the Home Member ?

The Deputy President : You may put only one question, not twenty questions.

Pandit Brijnandan Prasad Misra : I will put but one question. What measures does the Government adopt for the European tuberculosis prisoners ?

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : There is no special measure taken. I said so in my speech, but perhaps the honourable member was not here at the time.

Pandit Brijnandan Prasad Misra : I could not hear the Hon'ble the Home Member.

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : I am sorry. My voice used to be audible so far, but now perhaps it has become specially weak. However I beg to assure the honourable member that there is no difference in the treatment between Europeans and Indian prisoners who are consumptive.

(Question from somewhere in the House--Will they go to Sultanpur ?)

The Hon'ble Lieut. Nawab Muhammad Ahmad Sa'id Khan : So far there has been no question of this kind. The European prisoners are very few, eight or nine, and fortunately or unfortunately we have not been able to find cases of tuberculosis among these.

*The motion was put and the House divided as below :--*

*Ayes, 34; Noes, 51.*

*Ayes.*

Sri Ganesh Shankar Vidyarthi.  
Mr. A. P. Duba.  
Pandit Rahas Bihari Tiwari.  
Babu Sampurnanand.  
Babu Bhagwati Sahai Bada.  
Thakur Manjit Singh Rathor.  
Chaudhri Vijai Pal Singh.  
Chaudhri Dharamvir Singh.  
Pandit Nanak Chand.  
Thakur Manak Singh.  
Rao Krishna Pal Singh.  
Lala Nemi Saran.  
Chaudhri Badan Singh.  
Thakur Sadho Singh.  
Pandit Brijnandan Prasad Misra.  
Pandit Bhagwat Narayan Bhargava.  
Rao Udaibir Singh.  
Babu Kishori Prasad.

Lieut. Raja Durga Narayan Singh.  
Babu Shyam Lal.  
Babu Uma Shankar.  
Pandit Venkatesh Narayan Tiwari.  
Thakur Shiva Shankar Singh.  
Rai Bahadur Thakur Hanuman Singh.  
Bhaya Hanumat Prasad Singh.  
Pandit Govind Ballabh Pant.  
Pandit Badri Dutt Pande.  
Mr. C. Y. Chintamani.  
Maulvi Zahur-ud-din.  
Khawaja Khalil Ahmad Shah.  
Rai Bahadur Lala Mathura Prasad Mehrotra.  
Raja Jagannath Bakhsh Singh.  
Rai Bahadur Babu Vikramajit Singh.  
Pandit Iqbal Narayan Gurtu.

Noes.

The Hon'ble Sir Sam O'Donnell,  
The Hon'ble Lieut. Nawab Muhammad  
Ahmad Sa'id Khan.  
The Hon'ble Rai Rajeshwar Bali.  
The Hon'ble Thakur Rajendra Singh,  
The Hon'ble Nawab Muhammad Yusuf,  
Mr. G. B. Lamert,  
Mr. E. A. H. Blunt,  
Kunwar Jagdish Prasad,  
Sir Ivo Elliott,  
Mr. P. H. Tillard,  
Mr. H. A. Lane,  
Mr. R. L. Yorke,  
Mr. A. W. Pim,  
Mr. A. W. McNair,  
Khan Bahadur Chaudhri Wajid Husain,  
Mr. E. L. Norton,  
Mr. F. F. R. Channer,  
Mr. R. J. S. Dodd,  
Lieut.-Col. R. F. Baird,  
Mr. A. H. Mackenzie,  
Mr. G. Clarke,  
Mirza Muhammad Sajjad Ali Khan,  
Khan Bahadur Mr. Masud-ul-Hasan,  
Mr. E. Ahmad Shah,  
Babu Ram Charana,  
Thakur Pratap Bhan Singh.

Thakur Bikram Singh,  
Thakur Lukum Singh,  
Raja Kushal Pal Singh,  
Lieut. Raja Kali Charan Misra,  
Rai Bahadur Babu Abhinandan Prasad,  
Sirdar Nihal Singh,  
Rai Bahadur Babu Mohan Lal,  
Kunwar Surendra Pratap Sahi,  
Mr. Zahur Ahmad,  
Haji Abdul Qayum,  
Mr. Muhammad Abdul Bari,  
Saiyid Tufail Ahmad,  
Nawabzada Muhammad Liaqat Ali Khan,  
Lieut. Khan Bahadur Nawabzada Abdus  
Sami Khan,  
Maulvi Muhammad Obaid-ur-Rahman  
Khan,  
Khan Bahadur Hafiz Hidayat Husain,  
Maulvi Saiyid Habib-ullah,  
Dr. Shafiq-ud-Din Ahmad Khan,  
Khan Bahadur Saiyid Jafar Husain,  
Khan Bahadur Hakim Mahbub Ali Khan,  
Shaikh Muhammad Habib-ullah,  
Mr. St. George H. S. Jackson,  
Kunwar Biseshwar Dayal Sethi,  
Mr. E. M. Souter,  
Mr. J. P. Srivastava.

**Lala Nemi Saran:** I want your permission to move for adjournment as some of us wish to catch our trains.

**The Deputy President:** I cannot accept such a motion at a quarter to five. If honourable members wish to catch their trains they can do so, but I do not see any reason for accepting a motion for adjournment.

**Raja Jagannath Bakhsh Singh:** I beg to move the omission of Rs. 17,300 in item concerning works.

This means the total amount of the item. This item, as the House is aware includes two items. Rupees 12,500 for minor and petty works, and Rs. 4,800 district jails, maintenance and repairs. When I included the Rs. 12,500 for minor and petty works I knew that that item concerned the tuberculosis hospital that has been discussed at length before this House already.

*[The Hon'ble the President here resumed the Chair.]*

I thought—rather I was hopeful—that the House would not vote that amount for a hospital in Sultanpur. If that motion had been carried there would have been no necessity for me to include this item, but it has been otherwise. The Hon'ble the Home Member said in his last speech that he realized the unsuitability of Sultanpur for this purpose. That is what I inferred from the speech, if he did not say it in so many words. He said that he would be willing to select a place in a much cooler climate for segregating tuberculosis patients. Now after this statement I think the House agreed to vote the amount considering that the present is a temporary arrangement at Sultanpur. For it was not contended from the opposite benches even in one of the speeches that Sultanpur is a suitable place. So I think I can understand that the arrangement is temporary and that the Government do not intend to keep that hospital permanently. With this assumption I think, Sir, I am right in including this item of 12,500 in this cut. If the whole thing is temporary, the Government also agreeing that Sultanpur is not a suitable place and that a cooler climate would be a much better

[Raja Jagannath Bakhsh Singh.]

place considering the health of the prisoners, there is no reason for spending this amount in converting a jail into a hospital which is only a temporary arrangement. I therefore, Sir, need no further argument in support of my contention that this sum should not be voted by the House. The second item of Rs. 4,800 consists of two things. One is electric installation at Agra and the second is another installation at Naini. The note says that "the use of *punkhas* in jails should be extended to such Indian prisoners as by social rank in ordinary life are entitled to them, and that the practice of Indian prisoners pulling *punkhas* for the European prisoners should be discontinued." These were the two points that were repeatedly raised in this House in considering the jail budget. And the note says that it is in deference to the wishes of the House that the Government has made these arrangements in the two jails for electric installation. It is true that the House has always urged for the comforts of those prisoners who deserve them; but, as far as I remember, not once in this House was it urged that in every jail or in those jails where such persons who require *punkhas* are to be kept electric installations should be introduced. I do not know what has led Government to supply electric *punkhas* as up to now they did not supply even ceiling *punkhas* to the prisoners. Is it because that they have got a large surplus which they have got as a windfall, and that they want to spend it in some way or other? These old schemes which might have been kept pigeonholed in the Finance department have been brought before the House, and where there were no ceiling *punkhas* before Government can easily afford to plant electric installation. Is it the object of the Government to send all such persons who deserve *punkha* arrangements from all over the province to Naini jail. The note should at least have said that it is in deference to the wishes of the House that *punkha* arrangements should be made for middle class prisoners that it has been decided by Government that such prisoners should be sent to Naini jail where this plant would be started. I would also like to know what is the point in obtaining connection at Agra jail. I presume that one of them will be for European and the other for Indian prisoners. If it is so, then that, too, should have been mentioned. The jubilation of the honourable members on the opposite benches makes me hopeful that when they rise in their turn they will be pleased to support my arguments and perhaps the Hon'ble the Finance Secretary now feels that he has omitted to make these references in his notes and will correct them as soon as he gets an opportunity.

Mr. E. A. H. Blunt: It is perfectly clear.

Raja Jagannath Bakhsh Singh: We have found that matters which are perfectly clear to the Finance Secretary are not always clear to honourable members on this side of the House. He has got a knack of mixing up things which nobody but himself can understand. I, therefore, submit there is no point in coming before this House with this item of Rs. 17,300 unsupported by the wishes of the House, unsupported by the previous motions that were carried in the House. There is no point in bringing in items of expenditure which are not consistent with the previous debate that took place in the House. I therefore, hope that the House will consider that this item is not to be voted and will be pleased to carry this motion.

## PROROGATION OF THE COUNCIL.

**The Hon'ble the President :** It has been represented to me from various quarters of the House that it will be convenient if the House adjourns now. Some honourable members want to go home. The Muhammadan members have the *Ramzan*, and the time of breaking the fast is approaching. Perhaps others are finding the heat of Lucknow oppressive. We have the orders of His Excellency that the Council be prorogued. I, therefore, on the command of His Excellency prorogue the Council.

## APPENDIX A.

(See page 1151 *supra*.)**Qualifications of Boiler Inspectors and Additional Inspectors of Factories.***Mr. W. G. Mackay, M.B.E.*

- (i) First-class certificate of engineering (Bombay).
- (ii) Five years' engineering apprenticeship in England.
- (iii) Practical experience of over ten years of steam boilers and engines as engineer in His Majesty's Mint, Bombay, and as inspector of factories and boilers in the Bombay Presidency.

*Mr. W. W. Dalgarno.*

- (i) First-class elementary steam examination.
- (ii) Second-class mechanic's examination.
- (iii) First-class Board of Trade Marine Engineer's examination.
- (iv) First-class certificate of engineering, Bombay and the United Provinces.
- (v) Practical experience of boilers and engines for a period of over ten years at Cawnpore.

*Mr. Abdul Hai.*

- (i) Mechanical engineering examination of the Government Technical School, Lucknow.
- (ii) First-class engineer's certificate, United Provinces.
- (iii) Practical experience of steam boilers and engines at Cawnpore and elsewhere covering a period of over twelve years.

## APPENDIX B.

(See page 1154 *supra*.)*Statement referred to in starred question No. 59 for April 2, 1927.***I.—Committee to consider applications for certain posts at the Cawnpore Textile School; appointed February, 1924 :—**

- |  |     |     |                   |
|--|-----|-----|-------------------|
| 1. Mr. C. K. Buckley, Chairman   | ... | ... | } <i>Members.</i> |
| 2. Pandit Bal Bhaddar Prasad Tiwari, M.L.O.  | ... | ... |                   |
| 3. Mr. J. P. Srivastava, M.S.O.  | ... | ... |                   |
| 4. Mr. Hafiz Hidayat Husain, Bar-at-Law, M.L.O.  | ... | ... |                   |
| 5. Mr. P. H. Swinchatt (later on Mr. W. G. Mackay, officiating Chief Inspector of Factories and Boilers) | ... | ... |                   |

**II.—Committee to consider applications for the post of Principal, Government School of Arts and Crafts; appointed November, 1924 :—**

- |  |     |     |                   |
|--|-----|-----|-------------------|
| 1. Mr. R. Burn, C.S.I., Member, Board of Revenue         | ... | ... | <i>Chairman.</i>  |
| 2. Raja Jagannath Bakhsh Singh, M.L.O.                   | ... | ... | } <i>Members.</i> |
| 3. Mr. A. H. Mirza, M.L.O.                               | ... | ... |                   |
| 4. Mr. A. H. Mackenzie, Director of Public Instruction   | ... | ... |                   |
| 5. Deputy Secretary to Government, Industries department | ... | ... | <i>Secretary.</i> |

III.—Committee to consider applications for the post of Vice-Principal, Government School of Arts and Crafts, Lucknow, appointed January, 1925 :—

Same as for the post of Principal, with the addition of Mr. A. K. Haldar, the new Principal of the school, as a member.

IV.—Committee to consider applications for the post of machine tool instructor at the Central Wood Working Institute, Bareilly, appointed January, 1925 :—

- |  |     |     |           |
|--|-----|-----|-----------|
| 1. Wood Technologist   | ... | ... | Chairman. |
| 2. Mr. F. Canning, Conservator of Forests                            | ... |     |           |
| 3. Mr. J. P. Srivastava, M.S.C., of the Allahabad Woodcrafts Company | ... | ... | Members.  |
| 4. Mr. A. H. Mirza, M.L.C....  | ... | ... |           |
| 5. Divisional Superintendent of Industries Rohilkhand division       | ... | ... |           |

V.—Committee to consider applications for the post of Headmaster, Government School of Arts and Crafts, Lucknow, appointed August, 1925 :—

- |   |     |     |                       |
|---|-----|-----|-----------------------|
| 1. Mr. P. H. Swinchatt, Chief Inspector of Factories and Boilers    | ... | ... | Chairman.             |
| 2. Mr. P. A. Lyons, Principal, Government Technical School, Lucknow | ... | ... | Members.              |
| 3. Lala Mathura Prasad Mehrotra, M.L.C.                             | ... | ... |                       |
| 4. Khan Bahadur Saiyid Yusuf Khan                                   | ... | ... |                       |
| 5. Mr. A. K. Haldar, Principal of the school                        | ... | ... | Member and Secretary. |

VI.—Committee to consider applications for the post of Boiler Inspector and additional Inspector of Factories, appointed June, 1925 :—

- |   |     |     |           |
|---|-----|-----|-----------|
| 1. Khan Bahadur Chaudhri Wajid Husain, Director of Industries   | ... | ... | Chairman. |
| 2. Mr. P. H. Swinchatt, Chief Inspector of Factories and Boilers  | ... | ... | Members.  |
| 3. Rai Bahadur Babu Vikramajit Singh, M.L.C.  | ... | ... |           |
| 4. Khan Bahadur Hafiz Hidayat Husain, M.L.C.  | ... | ... |           |
| 5. Lala Karam Chand, Under Secretary to Government, Public Works department, Buildings and Roads department | ... | ... |           |

VII.—Committee to consider applications for the post of Principal, Central Weaving Institute, Benares, January-February, 1927 :—

- |  |     |            |
|--|-----|------------|
| 1. Khan Bahadur Shaikh Makbul Husain, C.I.E.             | ... | Chairman.  |
| 2. Mr. J. P. Srivastava, M.L.C.                          | ... | Members.   |
| 3. Mr. C. K. Buckley, Principal, Cawnpore Textile School | ... |            |
| 4. Mr. B. West of Messrs. Atherton, West & Co., Ltd.     | ... |            |
| 5. Rai Sahib Madan Mohan Sinha, M.B.E.                   | ... | Secretary. |

## APPENDIX C.

*(See page 1165 supra.)*

*Note showing the action taken by the Government on the comments made by the Examiner, Local Fund A accounts, on the accounts of the local bodies in his annual administration report for the year 1924-25.*

The Government have amended the rules so as—

- (a) to stop the practice of certain municipal boards of leaving the greater part of the bills for work done in one financial year for payment in the succeeding year, and,
- (b) to provide that no advances are made to the members of a board for carrying out any works, or to contractors except in payment of running bills.

2. The Government have also made rules providing for the examination of district board accounts and requiring district boards to employ trained or certified accountants. Similar rules are being made for municipal accounts.

3. The Government have issued instructions to district boards not to overdraw their balances at the treasuries.

4. The Government addressed the Banda district board and the Bareilly and Jhansi municipal boards regarding delays in the disposal of their annual notes. They asked the first two bodies to remove, before a given date, the defects pointed out by the Examiner.

5. The Government drew the attention of the Bareilly ; Shahjahanpur, and Fyzabad municipal boards to the fact that they were bankrupt or were verging on bankruptcy and required them to state what measures they were taking to improve their finances.

6. They asked the Lucknow and other municipal boards to improve their collections.

7. They also called for the explanation of the Fyzabad municipal board for diverting the grants given by the Government for drainage and flushing schemes to other purposes and also on certain other irregularities pointed out by the auditors.

8. They also asked the Jhansi municipal board to improve its administration in respect of the assessment and collection of water charges, to refrain from disbursing sums improperly during the last few days of the financial year, and to stop drawing cheques in the name of the secretary instead of the actual payee.

## APPENDIX D.

*(See page 1167 supra.)*  
Statement.

(a) Rs. 20-10.

(b) Rs. 11-2.

(c) Rs. 4-1.

(d) Rs. 5-3.

(e) The wheat-juar combination is approximately three pies cheaper per head per diem than the wheat and gram combination.



## APPENDIX E.

(See page 1170 *supra*.)

Item number of buildings referred to.	Name of buildings.	Capital value.	Revised rent assessable.							Remarks.
			Interest at 3½ or 4 per cent. on Capital value as the value as the case may be.	Annual repairs.	Quadrennial repairs.	Special repairs or renewals.	Total.			
							Per annum.	Per diem.		
1	2	3	4	5	6	7	8	9	10	
		Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs. a. p.		
4	Dar-ul-Shafa quarters, Set No. I	24,138	845	350	60	163	1,418	3 14 0		
5	Dar-ul-Shafa quarters, Set No. II	19,727	690	276	49	143	1,158	3 3 0		
6	Dar-ul-Shafa quarters, Set No. III	19,648	688	270	49	146	1,153	3 3 0		
7	Dar-ul-Shafa quarters, Set No. IV	17,590	616	248	83	75	1,022	2 13 0		
8	Board of Revenue quarters for Senior Member.	23,512	828	466	67	145	1,516	4 2 0		
9	Board of Revenue quarters for Junior Member.	24,279	888	455	121		1,464	4 0 0		
16	Darshan Bilas quarter No. I (residence of Deputy Chief Engineer, I Circle.	6,736	269		101		970	1 0 0		
16	Darshan Bilas quarters, No. II (residence of Deputy Chief Engineer, II Circle).	7,193	262		108		960	1 0 0		

[APRIL 2, 1927.]

APPENDIX F.

(See page 1171 supra.)

Statement giving particulars of night schools in the rural areas of the province.

District.			Number of night schools.		Number of students reading in the school on January 1, 1927.		Number of teachers in these schools.	
			Total number.	Number of classes only.	Total number.	Number of classes only.	Total number.	Number of teachers belonging to depressed classes.
Province of Agra.								
Deh A Duni ..	..	..	2	2	59	59	2	2
Mathura ..	..	..	3	1	94	40	3	..
Muzaffarnagar ..	..	..	..	..	..	..	..	..
Meerut ..	..	..	1	..	25	..	1	..
Dulandshahr ..	..	..	..	..	..	..	..	..
Total, Meerut division			6	3	178	99	6	2
			7	..	195	80	7	..
Aligarh ..	..	..	18	2	492	196	16	..
Mathura ..	..	..	0	2	176	38	6	..
Agra ..	..	..	..	..	..	..	..	..
Mainpuri ..	..	..	..	..	..	..	..	..
Etah ..	..	..	..	..	..	..	..	..
Total, Agra division			28	4	863	264	29	..
			7	..	165	..	7	..
Bareilly ..	..	..	1	..	10	..	1	..
Bijnor ..	..	..	..	..	..	..	..	..
Muzaffarnagar ..	..	..	..	..	..	..	..	..
Moradabad ..	..	..	2	..	39	..	2	..
Shahjahanpur ..	..	..	..	..	..	..	..	..
Pilibhit ..	..	..	..	..	..	..	..	..
Total, Rohilkhand division			10	..	214	10	..	..
			4	..	84	7	4	..
Farrukhabad ..	..	..	5	..	181	47	5	..
Etawah ..	..	..	1	..	21	3	1	..
Cawnpore ..	..	..	..	..	..	..	..	..
Fatehpur ..	..	..	..	..	..	..	..	..
Allahabad ..	..	..	..	..	..	..	..	..
Total, Allahabad division			10	..	296	57	10	..

\*Note.—Information regarding the Etah district board is not available.

*Statement giving particulars of night schools in the rural areas of the province—(concluded).*

District.	Number of night schools.		Number of students reading in the schools on January 1, 1927.		Number of teachers in these schools.	
	Total number.	Number of depressed classes only.	Total number.	Number of depressed class only.	Total number.	Number of teachers belonging to depressed classes.
PROVINCE OF AGRA—(concluded).						
Banda .. .. .	..	..	..	..	..	..
Hamirpur .. .. .	..	..	..	..	..	..
Jhansi .. .. .	25	..	464	135	25	..
Jalaun .. .. .	1	..	21	5	1	..
Total, Jhansi division ..	26	..	484	140	26	..
Benares .. .. .	13	6	292	155	13	..
Mirzapur .. .. .	..	..	..	..	..	..
Jaunpur .. .. .	2	..	76	2	2	..
Ghazipur .. .. .	10	..	315	75	11	1
Ballia .. .. .	11	..	334	38	12	..
Total, Benares division ..	36	6	1,017	270	38	1
Gorakhpur .. .. .	..	..	..	..	..	..
Basti .. .. .	2	..	58	58	2	..
Azamgarh .. .. .	14	..	369	97	14	..
Total, Gorakhpur division ..	16	..	427	150	16	..
Naini Tal .. .. .	1	..	35	..	2	..
Almora .. .. .	..	..	..	..	..	..
Garhwal .. .. .	..	..	..	..	..	..
Total, Kumaun division ..	1	..	35	..	2	..
OUDH.						
Lucknow .. .. .	11	..	261	49	11	..
Unao .. .. .	5	..	119	23	5	..
Rae Bareilly .. .. .	..	..	..	..	..	..
Sitapur .. .. .	..	..	..	..	..	..
Hardoi .. .. .	..	..	..	..	..	..
Kheri .. .. .	2	..	53	1	2	..
Total, Lucknow division ..	18	..	433	70	18	..

*Statement giving particulars of night schools in the rural areas of the province—(concluded).*

District.	Number of night schools.		Number of students reading in the schools on January 1, 1927.		Number of teachers in these schools.	
	Total number.	Number for depressed classes only.	Total number.	Number of depressed class students.	Total number.	Number of teachers belonging to depressed classes.
OUDH.						
Fyzabad .. .. .	..	..	..	..	..	..
Gonda .. .. .	..	..	..	..	..	..
Bahraich .. .. .	..	..	..	..	..	..
Sultanpur .. .. .	..	1	35	8	1	..
Paritabgarh .. .. .	..	..	..	..	..	..
Para Banki .. .. .	..	1	30	..	1	..
Total, Fyzabad division ..	2	..	65	8	2	..
Total, United Provinces ..	153	19	3,952	1,058	157	3

*Statement giving particulars of night schools in the urban areas of the province.*

PROVINCE OF AGRA.						
Dohra Dun .. .. .	..	1	1	89	22	2
Saharanpur .. .. .	..	1	1	38	31	1
Munaffernagar .. .. .	..	2	2	39	39	2
Meerut .. .. .	..	19	9	415	215	19
Rulandahabr .. .. .	..	..	..	..	..	..
Total, Meerut division ..	28	13	581	307	24	2
Aligarh .. .. .	..	1	..	33	..	1
Muttra (Brindaban) .. .. .	..	..	..	..	..	..
Agra .. .. .	..	14	5	477	170	14
Mainpuri .. .. .	..	..	..	..	..	..
Ktah .. .. .	..	..	..	..	..	..
Total, Agra division ..	15	5	510	190	15	1
Barotilly .. .. .	..	14	1	376	80	15
Bijnor .. .. .	..	..	..	..	..	..
Budoun .. .. .	..	..	..	..	..	..
Moradabad .. .. .	..	..	..	..	..	..
Shahjhanpur .. .. .	..	..	..	..	..	..
Filibat .. .. .	..	5	..	117	16	5
Total, Rohilkhand division ..	19	1	493	4	20	1

Statement giving particulars of night schools in the urban areas of the province—(continued).

District.	Number of night schools.		Number of students reading in the schools on January 1, 1927.		Number of teachers in these schools.	
	Total number.	Number of depressed classes only.	Total number.	Number of depressed class students.	Total number.	Number of teachers belonging to depressed classes.
PROVINCE OF AGRA.						
Farrukhabad .. .. .	..	..	..	..	..	..
Etawah .. .. .	..	..	..	..	..	..
Cawnpore .. .. .	..	..	7	166	7	..
Fatehpur .. .. .	..	..	12	317	14	1
Allahabad .. .. .	..	..	12	362	12	..
Total, Allahabad division ..	31	7	845	878	33	1
Banda .. .. .	..	..	..	..	..	..
Hamirpur .. .. .	..	..	..	..	..	..
Jhansi .. .. .	..	..	..	..	..	..
Jalaun .. .. .	..	..	..	..	..	..
Total, Jhansi division ..	..	..	..	..	..	..
Benares .. .. .	..	..	..	..	..	..
Mirzapur .. .. .	..	..	36	953	34	2
Jaunpur .. .. .	..	..	..	..	..	..
Ghazipur .. .. .	..	..	..	..	..	..
Ballia .. .. .	..	..	..	..	..	..
Total, Benares division ..	36	36	953	834	34	2
Gorakhpur .. .. .	..	..	..	..	..	..
Basti .. .. .	..	..	..	..	..	..
Azamgarh .. .. .	..	..	..	..	..	..
Total, Gorakhpur division ..	..	..	..	..	..	..
Naini Tal .. .. .	..	..	..	..	..	..
Almora .. .. .	..	..	..	..	..	..
Garhwal .. .. .	1	1	33	33	2	2
Total, Kumaun division ..	1	1	33	33	2	2
Total, Province of Agra ..	..	..	..	..	..	..

Statement giving particulars of night schools in the urban areas of the province—(concluded)

District.				Number of night schools.		Number of students reading in the schools on January 1, 1927.		Number of teachers in these schools.	
				Total number.	Number of day classes only.	Total number.	Number of day and class-room only.	Total number.	Number of teachers belonging to day classes.
OUDH.									
Lucknow	..	..	..	16	..	313	64	16	..
Unao	..	..	..	2	..	56	36	2	..
Bar Bareilly	..	..	..	..	..	..	..	..	..
Sitapur	..	..	..	..	..	..	..	..	..
Hardoi	..	..	..	..	..	..	..	..	..
Kheri	..	..	..	..	..	..	..	..	..
Total, Lucknow division				18	..	369	100	18	..
Fyzabad				2	..	36	..	2	..
Gonda	..	..	..	..	..	..	..	..	..
Bahraich	..	..	..	..	..	..	..	..	..
Sultanpur	..	..	..	..	..	..	..	..	..
Parbhargh	..	..	..	..	..	..	..	..	..
Bara Banki	..	..	..	1	..	40	..	1	..
Total, Fyzabad division				3	..	76	5	3	..
Total, Oudh				..	..	..	..	..	..
Total, United Provinces				146	68	8,609	1,821	149	9

Information regarding the Brindaban municipality is not available.

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